

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

Priya Jaswal

Write the full name of each plaintiff.

**23 - CV - 1761**

(Include case number if one has been assigned)

-against-

Jeffrey R Gosch, Division Head 30, NSWCPD, Naval Sea Systems Command (NAVSEA)  
Backes, Christina, Lead Engineer, Code 333- Shock Certification Lead , NSWCPD,  
~~Naval Sea Systems Command (NAVSEA)~~

Ortiz, Dionisio, Lead Engineer, Code 511, TDY Alabama Lead , NSWCPD, Naval Sea  
~~Systems Command (NAVSEA)~~

Duckworth, Jeffrey W, Acting Manager Code 333 between January/Feb 2021- April  
~~2021 , NSWCPD, Naval Sea Systems Command (NAVSEA)~~

Tronzo, Robert D Manager Code 333 between August 2020- January 2021, NSWCPD,  
Naval Sea Systems Command (NAVSEA)

**COMPLAINT**

Do you want a jury trial?

☐ Yes ☒ No

Write the full name of each defendant. If you need more space, please write "see attached" in the space above and attach an additional sheet of paper with the full list of names. The names listed above must be identical to those contained in Section II.

**NOTICE**

The public can access electronic court files. For privacy and security reasons, papers filed with the court should therefore *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number. See Federal Rule of Civil Procedure 5.2.

## I. BASIS FOR JURISDICTION

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation, and the amount in controversy is more than \$75,000, is a diversity case. In a diversity case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal-court jurisdiction in your case?

- ☐ **Federal Question**
- ☒ **Diversity of Citizenship**

### A. If you checked Federal Question

Which of your federal constitutional or federal statutory rights have been violated?

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### B. If you checked Diversity of Citizenship

#### 1. Citizenship of the parties

Of what State is each party a citizen?

The plaintiff, Priya Jaswal, is a citizen of the State of  
(Plaintiff's name)

New York

(State in which the person resides and intends to remain.)

or, if not lawfully admitted for permanent residence in the United States, a citizen or subject of the foreign state of

\_\_\_\_\_.

If more than one plaintiff is named in the complaint, attach additional pages providing information for each additional plaintiff.

If the defendant is an individual:

The defendant, all, is a citizen of the State of  
(Defendant's name)

Pennsylvania

or, if not lawfully admitted for permanent residence in the United States, a citizen or subject of the foreign state of

If the defendant is a corporation:

The defendant, \_\_\_\_\_, is incorporated under the laws of  
the State of \_\_\_\_\_

and has its principal place of business in the State of \_\_\_\_\_

or is incorporated under the laws of (foreign state) \_\_\_\_\_

and has its principal place of business in \_\_\_\_\_.

If more than one defendant is named in the complaint, attach additional pages providing information for each additional defendant.

## II. PARTIES

### A. Plaintiff Information

Provide the following information for each plaintiff named in the complaint. Attach additional pages if needed.

<u>Priya</u>	<u>M</u>	<u>Jaswal</u>
First Name	Middle Initial	Last Name
<u>97-37, 63rd Road 3N</u>		
Street Address		
<u>Rego Park</u>	<u>NY</u>	<u>11374</u>
County, City	State	Zip Code
<u>347-345-6744</u>	<u>priyacny2018@gmail.com</u>	
Telephone Number	Email Address (if available)	

**B. Defendant Information**

To the best of your ability, provide addresses where each defendant may be served. If the correct information is not provided, it could delay or prevent service of the complaint on the defendant. Make sure that the defendants listed below are the same as those listed in the caption. Attach additional pages if needed.

Defendant 1:	Jeffrey	Gosch
	First Name	Last Name
	Division Head 30	
	Current Job Title (or other identifying information)	
	4700 South Broad Street, Division 30, Bldg 29 Philadelphia, PA	
	Current Work Address (or other address where defendant may be served)	
	Philadelphia	PA 19112
	County, City	State Zip Code
Defendant 2:	Christina	Backes
	First Name	Last Name
	Lead Engineer, Code 333	
	Current Job Title (or other identifying information)	
	4700 South Broad Street, Code 333, Bldg 29 Philadelphia, PA	
	Current Work Address (or other address where defendant may be served)	
	Philadelphia	PA 19112
	County, City	State Zip Code
Defendant 3:	Dionisio	Ortiz
	First Name	Last Name
	Lead Engineer, Code 511	
	Current Job Title (or other identifying information)	
	4700 South Broad Street, Division 50, Bldg1000 Philadelphia, PA	
	Current Work Address (or other address where defendant may be served)	
	Philadelphia	PA 19112
	County, City	State Zip Code

Defendant 4: Jeffrey Duckworth

First Name	Last Name	
Acting Manager Code 333 between January/Feb 2021- April 2021		
Current Job Title (or other identifying information)		
4700 South Broad Street, Division 30, Bldg 29 Philadelphia, PA		
Current Work Address (or other address where defendant may be served)		
Philadelphia	PA	19112
County, City	State	Zip Code

### III. STATEMENT OF CLAIM

Place(s) of occurrence: Philadelphia, PA & Mobile AL

Date(s) of occurrence: Between August 2020-June 2021. TDY April 8th 2021

#### FACTS:

State here briefly the FACTS that support your case. Describe what happened, how you were harmed, and what each defendant personally did or failed to do that harmed you. Attach additional pages if needed.

I contacted two courts and added appeals MSPB appeal Appeal\_00.pdf and an initial decision, PH21026711-1A-6-DocNum1846157.pdf, was made by the MSPB judge, the case was dismissed.

I contacted EEOC and add Appeal (Complaint Number 2023001650 & EEOC Number 2023000218) to have the EEO review supporting documents EEO.pdf, 202103321 Clarification Questions - Complainant\_rev\_2 KP.docx, Gmail - Past Federal Employment Issues [Incident 220930-000409].pdf, Form 10-12-2022T10-22-29.pdf, Fullpageprint.pdf, Employment Issues NSWCPD.pdf. I want the termination clause falsely accusing me of unprofessional behavior towards lead and coworkers by the NSWCPD management removed from SF-50 record and if possible, the shock certification Mechanical Engineering job removed from my career history. For the reasons listed below and described in the supporting documents, I should not get evaluated by background check or security clearance harshly because of the job, an opportunity for code 333 NSWCPD to make money, that in my view was not structured for success and was design to negatively impact my career and may have had negative financial impact to the end user, US Navy. Both EEOC OFO were closed.

In the EEOC court order I was advised that after 30 days I had right to file a lawsuit at civil court against the management and if no resolution is achieved after EEO Counseling with the Agency. The agency EEO POC advised during the EEO Complaint intake earlier this month that the termination letter is final and there is nothing that could be done by the agency EEO regarding the termination letter itself. (Note In 2021 when I contacted agency code 333 human resources Keishla Guzman, she advised the same thing

that the agency EEO advised during EEO Counseling intake in Feb 2023. They will contact the lead engineers and managers and discuss what I am saying and it is highly likely that neither the lead engineer nor the managers will accept anything I am saying and I have no evidence. When there is no evidence, no court could help either. The hr is paid to support the management and there is nothing anyone can do about the "job" they (code 333 and code 511) assigned to me.) There was no value in waiting for 30 days however I still respected the EEO process that only added time and was misleading in my view. EEO/MSPB court is intentionally added to the termination letter to misguide the court and law enforcement into believing the employment issues were EEO matter. The EEO matters were intentional drama that the code 333 and code 511 employees executed together with their management to hide their assignment that clearly lacked the need of engineers, their ways of misusing military databases (like NSDB) and resources, their way to get funding by using new hire engineers and their interrelationships internally with coworkers and management that looked odd (sexual) and indirectly vulgar in nature as described in the attached EEOG letter that I submitted.

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#### **INJURIES:**

If you were injured as a result of these actions, describe your injuries and what medical treatment, if any, you required and received.

Workplace stress since October 2020

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Injury (severe fatigue and weakness) on April 8 2021 and health issues like joint pains

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#### **IV. RELIEF**

State briefly what money damages or other relief you want the court to order.

- Termination letter false cause of unprofessional behavior removed from my records
- Compensation for sudden job loss and new job search until I find an employment – Severance or yearly salary for couple of years
- Medical payment for workplace stress since October 2020 and injury on April 8 2021 and followup issues compensation
- Complete Relocation Expenses from and to home location to NY both ways
- I want the termination clause falsely accusing me of unprofessional behavior towards lead and coworkers by the NSWCPD management removed from SF-50 record and if possible, the shock certification Mechanical Eng job removed from my career history

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**V. PLAINTIFF'S CERTIFICATION AND WARNINGS**

By signing below, I certify to the best of my knowledge, information, and belief that: (1) the complaint is not being presented for an improper purpose (such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation); (2) the claims are supported by existing law or by a nonfrivolous argument to change existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Federal Rule of Civil Procedure 11.

I agree to notify the Clerk's Office in writing of any changes to my mailing address. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Each Plaintiff must sign and date the complaint. Attach additional pages if necessary. If seeking to proceed without prepayment of fees, each plaintiff must also submit an IFP application.

<u>2/28/2023</u>		<b>Priya Jaswal</b>	Digitally signed by Priya Jaswal Date: 2023.02.28 15:33:34 -05'00'
Dated		Plaintiff's Signature	
<u>Priya</u>	<u>M</u>	<u>Jaswal</u>	
First Name	Middle Initial	Last Name	
<u>97-37, 63rd Road 3N</u>			
Street Address			
<u>Rego Park</u>	<u>NY</u>	<u>11374</u>	
County, City	State	Zip Code	
<u>347-345-6744</u>	<u>priyacny2018@gmail.com</u>		
Telephone Number	Email Address (if available)		

I have read the Pro Se (Nonprisoner) Consent to Receive Documents Electronically:

☒ Yes   ☐ No

If you do consent to receive documents electronically, submit the completed form with your complaint. If you do not consent, please do not attach the form.



**United States District Court  
Southern District of New York**

## **Pro Se (Nonprisoner) Consent to Receive Documents Electronically**

Parties who are not represented by an attorney and are not currently incarcerated may choose to receive documents in their cases electronically (by e-mail) instead of by regular mail. Receiving documents by regular mail is still an option, but if you would rather receive them only electronically, you must do the following:

1. Sign up for a PACER login and password by contacting PACER<sup>1</sup> at [www.pacer.uscourts.gov](http://www.pacer.uscourts.gov) or 1-800-676-6856;
2. Complete and sign this form.

If you consent to receive documents electronically, you will receive a Notice of Electronic Filing by e-mail each time a document is filed in your case. After receiving the notice, you are permitted one “free look” at the document by clicking on the hyperlinked document number in the e-mail.<sup>2</sup> Once you click the hyperlink and access the document, you may not be able to access the document for free again. After 15 days, the hyperlink will no longer provide free access. Any time that the hyperlink is accessed after the first “free look” or the 15 days, you will be asked for a PACER login and may be charged to view the document. For this reason, *you should print or save the document during the “free look” to avoid future charges.*

### **IMPORTANT NOTICE**

Under Rule 5 of the Federal Rules of Civil Procedure, Local Civil Rule 5.2, and the Court’s Electronic Case Filing Rules & Instructions, documents may be served by electronic means. If you register for electronic service:

1. You will no longer receive documents in the mail;
2. If you do not view and download your documents during your “free look” and within 15 days of when the court sends the e-mail notice, you will be charged for looking at the documents;
3. This service does *not* allow you to electronically file your documents;
4. It will be your duty to regularly review the docket sheet of the case.<sup>3</sup>

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<sup>1</sup> Public Access to Court Electronic Records (PACER) ([www.pacer.uscourts.gov](http://www.pacer.uscourts.gov)) is an electronic public access service that allows users to obtain case and docket information from federal appellate, district, and bankruptcy courts, and the PACER Case Locator over the internet.

<sup>2</sup> You must review the Court’s actual order, decree, or judgment and not rely on the description in the email notice alone. See ECF Rule 4.3

<sup>3</sup> The docket sheet is the official record of all filings in a case. You can view the docket sheet, including images of electronically filed documents, using PACER or you can use one of the public access computers available in the Clerk’s Office at the Court.



**CONSENT TO ELECTRONIC SERVICE**

I hereby consent to receive electronic service of notices and documents in my case(s) listed below. I affirm that:

1. I have regular access to my e-mail account and to the internet and will check regularly for Notices of Electronic Filing;
2. I have established a PACER account;
3. I understand that electronic service is service under Rule 5 of the Federal Rules of Civil Procedure and Rule 5.2 of the Local Civil Rules, and that I will no longer receive paper copies of case filings, including motions, decisions, orders, and other documents;
4. I will promptly notify the Court if there is any change in my personal data, such as name, address, or e-mail address, or if I wish to cancel this consent to electronic service;
5. I understand that I must regularly review the docket sheet of my case so that I do not miss a filing; and
6. I understand that this consent applies only to the cases listed below and that if I file additional cases in which I would like to receive electronic service of notices of documents, I must file consent forms for those cases.

**Civil case(s) filed in the Southern District of New York:**

**Note:** This consent will apply to all cases that you have filed in this court, so please list all of your pending and terminated cases. For each case, include the case name and docket number (for example, John Doe v. New City, 10-CV-01234).

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**Jaswal. Priya, M**

Name (Last, First, MI)

97-37, 63rd Road 3N Rego Park

Address

NY

State

11374

Zip Code

347-345-6744

Telephone Number

priyaccny2018@gmail.com

E-mail Address

2/28/2023

Date

Priya Jaswal

Signature

Digitally signed by Priya Jaswal  
Date: 2023.02.28 15:33:09 -05'00'

**Return completed form to:**

Pro Se Intake Unit (Room 200)  
500 Pearl Street  
New York, NY 10007

Dear Judge,

I contacted two courts and added appeals MSPB appeal Appeal\_00.pdf and an initial decision, PH21026711-IA-6-DocNum1846157.pdf, was made by the MSPB judge, the case was dismissed.

I contacted EEOC and add Appeal (Complaint Number 2023001650 & EEOC Number 2023000218) to have the EEO review supporting documents EEO.pdf, 202103321 Clarification Questions - Complainant\_rev\_2 KP.docx, Gmail - Past Federal Employment Issues [Incident 220930-000409].pdf, Form 10-12-2022T10-22-29.pdf, Fullpageprint.pdf, Employment Issues\_NSWCPD.pdf. I want the termination clause falsely accusing me of unprofessional behavior towards lead and coworkers by the NSWCPD management removed from SF-50 record and if possible, the shock certification Mechanical Engineering job removed from my career history. For the reasons listed below and described in the supporting documents, I should not get evaluated by background check or security clearance harshly because of the job, an opportunity for code 333 NSWCPD to make money, that in my view was not structured for success and was design to negatively impact my career and may have had negative financial impact to the end user, US Navy. Both EEOC OFO were closed.

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Thank you,

Priya Jaswal

Priya Jaswal

EEOC Number 2023001650

Dear EEOC,

I was trying to find however still unsuccessful in locating a Pro Bono Service to get help with EEO counseling and recalled new information to support my claim about the statement in letter of caution made by managers Rob Tronzo and Jeff Gosch that the lead engineer and the managers found offensive or unprofessional.

Why is the termination letter fraudulent and framed to harm my career at NAVSEA. Listed below are the reasons I was collaborating by sharing my project and work information with several individuals.

- 1) I wanted (the individuals on cc and the ones I forwarded emails) them to know what I was working on and if there are better opportunities in other groups (at NSWCPD or NAVSEA) or just better ways of working on the tasks at code 333 that otherwise looked like tampering NSDB database which was an archived military database. Please note, I was always mindful that if I am able to find an opportunity to work at another department at nswcpd or even at Washington DC Navy Yard I will have to work with code 333 engineers and managers thus I was always trying to be professional and respectful in spite of the fact I was indirectly getting disrespectful behavior from lead engineer Christina Backes as I was involving Rob Tronzo and Jeff Gosch to report some of the things Christina was doing around me listed in my complaint so far. I would accept that I wrote the statements in my email to motivate Christina to change her contribution in shock certification by introducing analysis of shock risk assessment instead of random assumptions based on lack of data about the systems. Instead of sending a hastily compiled letter to chief engineer to request them to provide funding for further analysis I want to make sure the data in the letter about perceived deficiencies was actually deficiencies. If a letter is sent about perceived deficiencies on ship without investigation that are not really supported by any analysis a false record will be created that the ship has many shock deficiencies that it may not have otherwise. I was concerned about signing off on such vague letters and sending them to chief engineers as official records that the ship are full of deficiencies when in fact code 333 did no investigation or engineering analysis to verify and validate what they were calling deficiencies on the ship. I was surprised which group within Navy will have that type of funding and resources to analyze what code 333 certification engineering was calling shock deficiencies on ship. I didn't saw any group fixing or taking care of the deficiencies identified by code 333 in ship certification risk or inspection. Thus, I did not understand the purpose of having a shock certification and shock inspection. If nothing is done to fix the problem then why are we generating problems that we don't even know for sure are problems to begin with.
- 2) I only sent emails cc's to the point of contact on the ship (DDG- Nali and LCS- Rayan), Sarah and Christina and if input was required from the design integration engineer- Pat (NAVSEA05). Christina was adding ship certification NWA and charge numbers to my timesheet and the work was assigned to edit NSDB database because she wasn't getting nsdb NWA as the database was in process for archiving. Last day before certification meeting she was asking me to quickly review and submit risk assessment on the ship without spending time on reviewing the system under analysis. The NSDB database was

in my view just tampered around without source and Christina was even saying she herself don't know if anyone actually have those test reports or who might know. According to Pat they might be traced down if needed but he never checked individual records to verify or validate. Maybe thus Christina was having me edit database with unknown which actually is lead engineer's responsibility to sign off. Thus I was sending emails to the team members to find out how they were doing the same things differently and how work is allocated to them. I wanted to know who actually prepared the technical documentation and analysis on the system under investigation. I learned later it was written by Pat (NAVSEA 05) and Christina's work only involved NSDB database search and tracking test reports. I should have never learned how work is done if I had not forwarded the emails and ccd the email to multiple team members in code 333 and external organizations. Christina wasn't writing anything about her work process and wasn't giving information to me to learn what my role in shock certification. And she and her managers were on top writing letters of caution to stop me from obtaining the information and learning from other organizations working in parallel or opposing to them. Yes I thought to find a new role in Washington DC in program management or Design integration by using the (PMO & System Integration/Design Integration) contacts on shock certification and it is bad that Jeff tried blocking my attempt to network and leave code 333 to work at Washington DC Navy Yard by writing letters of caution to discourage me from finding better opportunities than tracking databases and test reports for Christina. I was disappointed to find that I got no ship for certification and I was asking Christina that I want my ship that I want to run full certification activities around. However, I never understood what Christina actually does as part of shock certification. But after sending emails to the PMO & Design Integration Team I learned their work was what I was interested to do as part of my job.

- 3) I was sending emails to my mentors most were division heads like Jeff working at nswcpd in various departments like dept 40 and 50 to learn their roles and how they contribute or benefit from shock certification. Some worked in ship certification and thus I thought they could provide information about shock certification. However, I ended up discussing issues with shock inspections and shock certification process itself. I got lot of good information about other jobs at nswc though. There is nothing wrong about sharing assignments related information with other departments and division heads. Instead of going to court it is better to resolve issues internally.
- 4) I think Jeff Gosch initiated ship shock inspection and certification himself and thus he was forcing me to follow Christina independent to how the certification team at code 333 worked. I bet it was Jeff whose direction were followed by Christina, Sarah and Rob all together. And maybe he was using his team like how Christina was match making and operating an entertainment business of direct reporter.
- 5) Christina by showing me odd pictures of her direct report certification engineer and creating uncomfortable situations and awkward moments indirectly reinforced that she did not like or respected me as I perceived from the interview as well. I was quietly tolerating the drama she was doing to humiliate me and directly attack me when she called me in office. I don't understand why she overreacted in front of Jeff and Rob to encourage them to write letters of caution against me. What she did to disrespect me was worse than the emails that are intentionally analyzed to advise me to change my email tone against her. I only wanted to use the bad work experience at code 333 as a stepping

stone to advance in my career. I think everyone who experienced something similar does that, you have to make the most out of what you got. Few weeks before I was going to support underway testing at code 511, I found a large ball in my cubicle that the AO and Jeff Duckworth advised to leave in the department admin's cubicle for disposal. Why did nswcpd and code 333 bother hiring me if they didn't plan to have a career for me and had me tolerate Christina's odd unprofessional attitude and work style. And write a termination letter accusing me of unprofessional behavior.

- 6) Not until in around January 2021 I learned that code 333 has a habit of initiating something new every four years to maintain hiring and expanding their jobs, I realized I was the target they were using now after unsuccessful shock certification that they were pushing to become ship certification and EMI/EMC certification efforts. I just didn't know how they were planning to use me to get the funding they needed from program offices. But I realize upon returning from the boat that what I ignored was the hr trainings that everyone was like mimicking indirectly. Then I recall Christina said in interviews this job is like your last position at Boeing in systems safety engineering. Her job was not even close or has anything similar to systems safety engineering. But the military training on sexual harassment that discusses the definition of sexual assault and sexual harassment with cinematic movie with actual victims and stories. I suddenly realized how past created by manipulating management is used to damage present and future.
- 7) It is not possible that the relationship between coworkers and managers were not awkwardly close and inappropriate at code 333. Sarah Collins knew my work experience at various companies without me telling her. But it could be that Christina told her about my experience. Sarah after becoming the acting branch head when Rob went to vacation took administrative access to Rob's emails. And on the day Rob was out of office I was getting emails from Rob asking me to join employee resources group meetings. I was surprised how an employee like Sarah can use their manager's email to send emails to other employees without mentioning that was email was not from Rob but Sarah had access to Rob's email in Rob's absence during vacation. Something was definitely odd about the Navy's employee resource group as well. Maybe in military employees can use their manager's email to send coworkers information they want using the manager name and email. Thus I thought it was maybe culture at military. But Sarah could have sent an email herself why did she used Rob's email address to send information about employee resource group to new hires. Maybe she was very trustworthy and close to managers to have gotten access to send emails using manager's email box. I never get access to send emails using my mom's email account and code 333 employees were so connected to their managers to be using manager's email box to send emails using manager's signature. I thought at the time maybe Rob has some administrative responsibility that requires granting access of his email account to acting bh at code 333. And Sarah just wanted to be the one-day individual in charge to guide new hires, really, she could have sent emails using her own email address. No management requires employee resource group membership. Or the managers and employees were uncomfortably close to be using military email and account without restrictions. After receiving the emails encouraging to join employee resource group by the manager Rob Tronzo, when the manager was out of office I asked the manager when he returned. Do you work when you are on vacation? Because I got email from you with information about events organized by employee resource group and you highly recommend attending them. Rob responded

Priya Jaswal

EEOC Number 2023001650

Sarah might have used his email address to send those emails in his absence. I didn't said anything but was surprised Rob gave full access of his email account to Sarah to send emails using Rob signature. The email were not on behalf of manager but were Rob's email with his own signature. I thought Sarah might have done something very special to have gotten full access to manager's email address in the less than 4 years of employment at nswcpd. Maybe rob and Jeff were intentionally making the coworkers see the emails I sent to them by giving them full access of email box. Like creating a feeding frenzy gathering coworkers together or just having them misuse company email or they were too close to some of their direct reporter to have them access their emails while they go out on vacation. Either way the termination letter was false and targeted to harm my career intentionally. Also, I am not sure if the military civilian command has engineering work to hire engineers. Maybe business management might be a better fit for their positions. The shock certification might be similar to business risk assessment from no angle it was technical or engineering work. Not my monkey not my circus.

- 8) What if I am called in a court to explain why? I thought Christina and nswcpd appeared to be a brothel rather than an engineering unit/command. I am not sure the emails I was getting from management was actually sent by the manager themselves or individual like Sarah with access to the manager's email box. That is the point.
- 9) No way I am not putting myself through another nightmare job without any career only entertainment for the employer to make money abusing me using diversity groups. How was Christina able to hire that type of coworkers and not sure I do not care what type of relationship they had with each other. Code 333 and code 511 looked like fuck buddy coworker and management from how they behave around me. And I was sure nothing technical or productive business that generate revenue or build engineering products could be achieved from such workforce.

I thought to bring this to your attention.

Thank you,

Priya Jaswal





# MERIT SYSTEMS PROTECTION BOARD

## Appeal Form--Appellant and Agency Information

Please type or print legibly.

OMB No. 3124-0009

1. Name (last, first, middle initial)

Jaswal, Priya

2. Present Address (number and street, city, state, and zip code)

Address: 1 Mac Arthur Blvd #S807

City, State, Zip Code: Haddon Township, New Jersey, 08108, United States of America

3. Telephone numbers (include area code) and E-Mail Address

You must notify the Board in writing of any change in your telephone number(s) or e-mail address while your appeal is pending.

Home: (347) 345-6744

Work:

Fax:

Cell:

E-mail Address: priyacny2018@gmail.com

Other Phone Type:

4. Do you wish to designate an individual or organization to represent you in this proceeding before the Board? (You may designate a representative at any time. However, the processing of your appeal will not normally be delayed because of any difficulty you may have in obtaining a representative.)

☐ Yes☒ No

5. Name, address, and telephone number of the agency that took the action or made the decisions you are appealing (include bureau or division, street address, city, State and Zip code)

Agency Name: Department of the Navy

Bureau: Naval Sea Systems Command

Address: 5001 S Broad St, Bldg 29

City, State, Zip code: Philadelphia, Pennsylvania, 19112, United States of America

Agency Phone: (215) 897-2998

6. Your Federal employment status at the time of the decision or action you are appealing:

☐ Temporary ☒ Permanent ☐ Applicant  
☐ Term ☐ Retired ☐ Seasonal  
☐ None

7. Type of appointment (if applicable):

☒ Competitive ☐ SES ☐ Excepted  
☐ Postal Service ☐ Other

8. Your occupational series, position title, grade, and duty station at the time of the decision or action you are appealing (if applicable):

Occupational Series: Engineering- Position Title: Mechanical Engineer  
or Cluster:  
Grade or Pay Band: GS-0830-12 Duty Station: Philadelphia

9. Are you entitled to veteran's preference? See 5 U.S.C. 2108.

☐ Yes ☒ No

10. Length of Government Service (if applicable):

Years 10 Months

11. Were you serving a probationary, trial, or initial service period at the time of the action or decision you are appealing?

☒ Yes ☐ No

Appeal Number: 202102596

Submission Date: 6/17/2021 5:14:50 PM

Confirmation Number: 212104

MSPB Form 185-1, Page 1 (5/13/2011)  
5 CFR Parts 1201, 1208, and 1209



# MERIT SYSTEMS PROTECTION BOARD

## Appeal Form--Appellant and Agency Information

*Please type or print legibly.*

**HEARING:** You may have a right to a hearing before an administrative judge. If you elect not to have a hearing, the administrative judge will make a decision on the basis of the submissions of the parties. Do you want a hearing?

12. Do you want a hearing? ☒ Yes ☐ No

**E-Filing:** Registration as an e-filer enables you to file any or all of your pleadings with the Board in electronic form. Registration also means you consent to accept service of all pleadings filed by other registered e-filers and all documents issued by the Board in electronic form. You will receive these as PDF documents at the e-mail address you provided the Board. If registered as an e-filer, you may file any pleading, or portion of a pleading, by non-electronic means. You can withdraw your registration as an e-filer at any time.

13. Do you wish to register as an E-Filer in this appeal?

☒ I elect to E-File ☐ I decline to E-File

14. I certify that all of the statements made in this form and all attached forms are true, complete, and correct to the best of my knowledge and belief. ☐

Priya Jaswal, Appellant

Date:

Appeal Number: 202102596

Submission Date: 6/17/2021 5:14:50 PM

Confirmation Number: 212104

MSPB Form 185-1, Page 2 (5/13/2017)  
5 CFR Parts 1201, 1208, and 1209



**e-Appeal Attachment Transmittal**

**Appeal Number:** 202102596  
**Appellant Name:** Priya Jaswal  
**Agency Name:** Department of the Navy

Please check the box for each document included with this transmittal.

<input type="checkbox"/>	Name of Attachment	Attachment Processing Status	File Name/Delivery Method
<input checked="" type="checkbox"/>	Drafted Appeal File	Upload with e-Appeal	Appeal_00.pdf

2 copies must be submitted of all documents submitted in hardcopy.

Send documents to be submitted in paper form to:

Northeastern Regional Office  
 1601 Market Street Suite 1700  
 Philadelphia, Pennsylvania 19103  
 United States of America

Phone: (215) 597-9960

Fax: (215) 597-3456

Dear Judge:

After a workplace injury on April 8 2021 on a US Navy unmanned surface vessel in mobile Alabama, on June 8<sup>th</sup> 2021 my employment was wrongfully terminated by Naval Surface Warfare Center Philadelphia-NSWCPD, US Navy's Naval Sea Systems Command for cause as listed in the attached termination letter. I believe the termination cause is false. I was bullied by managers and lead engineers, discriminated by managers and coworkers due to my pronunciation, sent on a work-related trip intentionally to cause physical and mental trauma, no doctors or medical services were offered and I was told to continue working and thus it was an attempt murder. And after reporting to the HR in January and February 2021 about my experiences with manager and lead engineer as described in the attached letter to DOL, on June 8 2021 the management wrongfully terminated my employment. This employer paid no relocation, no hiring bonuses and two years' probation with a term that disability will only be available 18 months after employment and they disabled in my view intentionally before the employment offer terms. I now think their intentions for offering this employment were not right from the beginning and they created unsafe job assignments with poor individual safety on the boat on April 8<sup>th</sup> 2021.

When I drive my car, I am having rectal pain, pain in joints, back pain and neck pain and feel fatigue and tiredness. Long-distance drive causes rectal bleeding. I was scheduled for a rectal surgery on June 23 that I have to cancel as I do not have health insurance as a result of job loss. Between this health condition I am forced to move to another city as I won't have housing after July 31. On July 31 my apartment's lease is expiring and I do not have an employment to renew the lease. I can not recover fully as a result of physical activities that I have been doing since April 8 (return to work on April 26) and now relocating between job loss. This employer has created lot of financial loss, mental and physical trauma for me.

**I am appealing to have**

- Termination letter false cause of unprofessional behavior removed from my records
- Compensation for sudden job loss and new job search until I find an employment – Severance or one year salary
- Medical payment for workplace stress since October 2020 and injury on April 8 2021 and follow-up issues compensation
- Complete Relocation Expenses from and to home location to NY both ways

Note My Mailing Address After July 31<sup>st</sup> 2021 will be

97-37, 63<sup>rd</sup> Road Apt 3N

Rego Park, NY 11374

12315  
Ser1014/P128  
8 Jun 2021

MEMORANDUM

From: Head, Materials, Structures, Environmental & Protection Division  
To: Ms. Priya Jaswal

Subj: NOTICE OF TERMINATION DURING PROBATIONARY PERIOD

Ref: (a) 10 U.S.C. § 1599e  
(b) 5 C.F.R. § 315.803  
(c) NSWCPD ltr 12752/P025 dtd 2 Dec 20  
(d) NSWCPD ltr 12752/P057 dtd 18 Feb 21

1. On 3 August 2020, you were hired as a GS-0830-12, Mechanical Engineer at the Naval Surface Warfare Center, Philadelphia Division (NSWCPD). This appointment is subject to a two-year probationary period, per reference (a). Pursuant to reference (b), I am terminating your employment as a Mechanical Engineer at NSWCPD because of your repeated, inappropriate and unprofessional conduct.

2. Since 16 November 2020, you have repeatedly exhibited unprofessional behavior towards your coworkers and shown yourself to be difficult to work with notwithstanding management's repeated efforts to address your workplace behavior. More specifically, per reference (c), you were issued a Letter of Caution on 2 December 2020 addressing your unprofessional conduct in November 2020 when you sent repeated emails to your lead Ms. Christina Backes, Mechanical Engineer in Code 333, that were unprofessional in content and tone. Per reference (d), on 18 February 2021, you received another Letter of Caution again addressing unprofessional and argumentative emails you sent to Ms. Backes. Most recently between 3-17 May 2021, you sent a series of emails to several different individuals, sending multiple follow-up emails without providing the recipients time to even respond to the original email. Moreover, many of the recipients of these emails had no involvement in the subject matter of the email and thus there was no reason for you to be including them on the original emails, much less sending repeated follow-up emails looking for immediate responses.

3. Because of the behavior described above, I do not find you suitable for continued employment with the NSWCPD. Effective 08 June 2021, you are terminated from federal employment to promote the efficiency of the federal service.

4. You may file an appeal of this decision in one of the following ways:

a. If you believe that I am terminating you because of partisan political reasons or because of your marital status, you may file a written appeal to the U.S. Merit Systems Protection Board (MSPB), Northeastern Regional Office, 1601 Market Street, Suite 1700, Philadelphia, PA 19103. If you need a copy of the MSPB appeal form, you may contact Ms. Keishla Guzman of the

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FOR OFFICIAL USE ONLY - PRIVACY SENSITIVE

Any misuse or unauthorized disclosure may result in civil and criminal penalties

Subj: NOTICE OF TERMINATION DURING PROBATIONARY PERIOD

Human Resources Office at (215) 897-2998 or keishla.guzman@navy.mil. You may also access the MSPB's regulations and initiate your appeal online at the MSPB website at <https://e-appeal.mspb.gov/>. Any appeal filed with the MSPB must be received by the MSPB no later than 30 calendar days after the effective date of this action. Your appeal must provide the basis for your appeal and you should attach any documents that you believe support your appeal. If you do not submit an appeal within the time set by statute, regulation, or order of a judge it will be dismissed as untimely filed unless a good reason for the delay is shown. If you should file after the 30 calendar day requirement, the MSPB administrative law judge will provide you an opportunity to show why the appeal should be accepted and not dismissed as untimely filed.

b. If you believe this action was taken against you because of a protected EEO discrimination basis such as race, color, religion, sex, national origin, genetic information, pregnancy, physical or mental disability, or reprisal due to prior Equal Employment Opportunity (EEO) activity, you may file an EEO complaint within forty-five (45) calendar days of the effective date of this termination action. If you wish to file an EEO complaint, please contact Ms. Crystal Roach, NSWCPD EEO Specialist, 5001 South Broad Street, Philadelphia, PA 19112, (215) 897-1304, or at [crystal.roach1@navy.mil](mailto:crystal.roach1@navy.mil). You must contact Ms. Roach within forty-five (45) calendar days of the effective date of this termination.

c. If you choose to appeal, whichever procedure you initiate first will constitute an IRREVOCABLE election, thereby WAIVING you right to pursue other appeal procedures.

5. Enclosure (1) describes the steps to file a claim for unemployment benefits under the Department of Labor's Unemployment Compensation for Federal Employees (UCFE) program. To help expedite any claim you may file, you should take Enclosure (1) with you, along with your Social Security card, the official notice of your most recent separation or present non-pay status (e.g. this letter or Standard For 50, if available), your most recent leave and earnings statement, or similar documents that indicate you were employed by NSWCPD. Your state unemployment compensation office will decide whether you are eligible for benefits.

6. If you have any questions concerning this action, you may contact Ms. Guzman.

7. A Standard Form 50, Notification of Personnel Action, effecting your termination will be forwarded to you at your address of record when available.

  
JEFFREY GOSCH

Copy to: 33, 333, 1014



UNITED STATES  
DEPARTMENT OF LABOR

OSHA

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## OSHA ONLINE WHISTLEBLOWER COMPLAINT FORM

[Instructions](#)



US Department of Labor  
Occupational Safety and Health Administration  
Notice of Whistleblower Complaint

OMB # 1218-0236

Have you suffered an "adverse action"?

**At least one selection is required**

To have a valid complaint, you must allege that your employer took at least one "adverse action" against you. An action is "adverse" if it negatively affected your conditions of employment in any way (see examples below).

If yes, please click all that apply:

- ☒ Termination / Layoff
- ☒ Discipline
- ☐ Demotion / Reduced Hours
- ☐ Suspension
- ☒ Denial of Benefits
- ☒ Failure to Promote
- ☐ Failure to Hire / Re-hire
- ☒ Negative Performance Evaluation
- ☐ Threat to Take any of the Above Actions
- ☒ Harrassment / Intimidation
- ☒ Other (please describe)

Workplace bullying and attempt n

When did you suffer the most-recent adverse action?

Each whistleblower protection law that OSHA administers requires that complaints be filed within a certain number of days after the alleged adverse action. The time periods vary from 30 days to 180 days, depending on the specific law (statute) that applies. For example, Section 11(c) of the OSH Act, which covers workplace safety and health matters, requires that a complaint be filed within 30 days of the adverse action. Under certain extenuating circumstances, however, OSHA may accept a complaint filed after the deadline has expired. Click here for a summary of the filing deadlines that apply to each statute.

06 / 08 / 2021

Set

(If you cannot remember the exact date, please enter the approximate date.)

### Why do you believe you suffered the adverse employment action(s)? (at least one required)

Please check all that apply:

- ☐ Called / Filed complaint with OSHA
- ☒ Called / Filed complaint with another government agency  
US Department of Labor Worker (
- ☒ Complained to management about unlawful conditions, conduct, or practices
- ☐ Testified or provided statement in a proceeding (e.g., government inspection or investigation)
- ☐ Because of your race, color, religion, sex (including pregnancy, gender identity, and sexual orientation), national origin, age (40 or older), disability or genetic information
- ☐ Because you complained about failure to pay the minimum wage, overtime pay, wage recordkeeping, child labor, or family and medical leave requirements
- ☐ Because you complained about migrant or seasonal worker protections, lie detector tests, or worker protections in certain temporary guest worker programs
- ☐ Because you engaged in protected concerted activities (group action to improve wages, benefits, and working conditions), union activities, supported a union, or chose not to engage in union activities
- ☒ Reported an injury, illness, or accident
- ☐ Participated in safety and health activities
- ☒ Refused to perform unsafe or illegal task
- ☒ Other (please describe)  
Workplace bullying, wrongfully termination of employment and attempt murder

75 / 1000

What reason(s) did your employer give for the adverse action(s)?

They blamed me for unprofessional behavior they conducted on me. In October 2020 upon request to witness a test the manager called me at the shock and vibration test lab in Philadelphia and the lab manager indirectly humiliated me in front of their contractors and employees. He said that there is a mop and bucket and I should start mopping his lab's floor. I respectfully disregarded their unprofessional behavior however the lead engineer, Ms. Backes, assigned work to constantly irritate and humiliate me year-round, in all her emails she listed to "clean up" spreadsheets reminding me of the treatment in the lab in October 2020. She did that while keeping the managers on copy and the managers did nothing to stop her unprofessional behavior. They wrote letters accusing me for unprofessional behavior that they exercised as team year-round and for unprofessional things that they did to and around me.

Is 911 / 1000  
there  
anything else that  
that you would  
like OSHA to  
know about what  
happened?

My employment was terminated June 8 wrongfully because I contacted HR to report coworker misconducts, ship shock certification job title issues and misuse of company resources. I added the letters and emails from HR to the worker compensation claim number on the department of labor Ecomp website (some of them had privacy statements not to share, worker compensation Case number: 550061639. Date of Injury: 04/08/21 ) using my work laptop between May 2021 and June2021. Got fired in two weeks after adding the emails to the case number.

539 / 1000

When you

suffered the adverse action, who did you work for?

Company Name  
(Required)

Naval Surface Warfare Center Philadelphia, NAVSEA

Is this a private or public sector employer? (Required)

- ☐ Private
- ☒ Public
- ☒ Federal
- ☐ State, County, Municipal, or Territorial

### When you suffered the adverse action, where was your worksite?

(e.g., home office; official duty station; dispatch; home terminal)

Worksite Address when Alleged Retaliation Occurred (Street, City, State, Zip):

Street: 5001 S Broad St, Bldg 29

City: Philadelphia

State: (Required) Pennsylvania



Zip: 19112

## How can OSHA contact your employer?

Employer Name (if  
different from "Company  
Name" above):

Naval Surface Warfare Center Philadelphia, NAVSEA

Name and Title of Management Person (for contact purposes only)

Name:

Keishla

M.I.

Guzman

Title:

Human Resource Office

Phone:

215-897-2998

Ext

Name and Title of Your Supervisor:

Name:

Jeffery

M.I.

Gosch

Title:

Division Head

Employer Mailing Address (if different from worksite address):

Street:

5001 S Broad St, Bldg 29

City:

Philadelphia

State:

Pennsylvania



Zip:

19112

Employer Phone:

###-###-####

Alt Phone:

###-###-####

Employer Fax:

###-###-####

Alt Fax:

###-###-####

Employer Email:

Type of Business:

US Navy

## How can OSHA contact you?

Please complete all required fields

Name (Required):

Priya

M.I.

Jaswal

Mailing Address (Street, City, State, Zip) (Required):

Street:

1 Mac arthur Blvd S807

City:

Haddon Township

State:

New Jersey



Zip:

08108

Telephone Numbers (include area code) (at least one required):

Home:

347-345-6744

Work:

###-###-####

Ext

Cell:

###-###-####



☐ No Telephone Available

Email Address: priyacny2018@gmail.com

Other Contact Person?

Name: First Name M.I. Last Name

Phone: ###-###-####

Preferred Method of Contact: Select one...

Preferred Time of Contact: Select one...

## Designated Representative

Do you have an authorized / designated representative (e.g., attorney, shop steward)?

☒ No☐ Yes

Are you an authorized / designated representative (e.g., attorney, shop steward) that is filing on behalf of an employee?

☒ No☐ Yes

If yes for either, please provide contact information for the authorized/designated representative:

Name: First Name M.I. Last Name

Title: Title

Organization Name (if any): Organization Name

Union Affiliation (if any): Union Name

Address (Street, City, State, Zip Code):

Street: Street Address

City: City

State: Select one...

Zip: #####

Phone (day): ###-###-####

Ext:

Email:

☐ By checking this box, I certify that the named employee has authorized me to act as their representative for purposes of this complaint.

## Submission

Please review the information you have entered to ensure that it is accurate. You may change any answers as needed before submitting the form.

**NOTE: It is unlawful to make any materially false, fictitious, or fraudulent statement to an agency of the United States. Violations can be punished by a fine or by imprisonment of not more than five years, or by both. See 18 U.S.C. 1001(a); 29 U.S.C. 666(g).**

**By clicking SUBMIT below, you certify that the information in this complaint is true and correct to the best of your knowledge and belief. Please click "Submit" only once. Remember that you cannot file a whistleblower complaint with OSHA anonymously. If you file a complaint, OSHA will contact you to discuss your complaint. If OSHA proceeds with an investigation, the employer will be notified of your complaint.**

**We suggest that you print and save this page for your records.**

Print this Complaint

SUBMIT your complaint to OSHA

Cancel, Return to [www.whistleblowers.gov](http://www.whistleblowers.gov)

#### **Complaint Received!**

Thank you! As of June 10, 2021 12:00 PM US Eastern Time, you have filed a whistleblower retaliation complaint with OSHA using our online filing system.

**Your complaint submission reference number is: ECN74946**

No further action is necessary at this time. An OSHA representative will contact you using the contact information that you provided in your complaint. It is very important that you respond to OSHA's follow-up contact.

We appreciate the opportunity to be of service to you.

#### **How Did You Find Us?**

**How did you learn about OSHA's Whistleblower Protection Programs? (Please click all that apply)**

- ☐ DOL's website ([www.dol.gov](http://www.dol.gov))
- ☐ OSHA's website ([www.osha.gov](http://www.osha.gov))
- ☐ OSHA employee
- ☐ Referred by another agency or organization

Name of Agency/Organization

- ☐ Union
- ☐ Coworker
- ☐ Friend or Relative
- ☐ Search engine (e.g., Google)
- ☐ News article
- ☐ Conference or Industry event
- ☐ Other

Please describe

Send

#### **PRIVACY ACT STATEMENT**

This form requests personal information that is relevant and necessary to determine whether and how to conduct an investigation. OSHA collects this information in order to process complaints under its statutory and regulatory authority. Once a complaint is filed, the individual's name and information about the allegations of retaliation will be disclosed to the employer. During the course of an OSHA investigation, information contained in an investigative case file may be disclosed to the parties in order to resolve the complaint. During an investigation, information about the complaining party and the employer will not be released to the public except to the extent allowed under the Freedom of Information Act (FOIA). However, once a case is closed, it is possible that information contained in the complaint or a case file may be released to the public as required by the FOIA. Any such documents will be redacted as appropriate under the FOIA and the Privacy Act.

#### **PAPERWORK REDUCTION ACT STATEMENT**

According to the Paperwork Reduction Act, an Agency may not conduct or sponsor, and no persons are required to respond to, a collection of information unless such collection displays a valid OMB control number. Public reporting burden for this voluntary collection of information is estimated to be one hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Please send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to OSHA.DWPP@dol.gov or to the Directorate of Whistleblower Protection Programs, Department of Labor, Room N4624, 200 Constitution Ave., NW, Washington, DC; 20210; Attn: Paperwork Reduction Act Comment. (This address is for comments only; do not send completed complaint forms to this office.)

OMB Approval # 1218-0236; Expires: 02-29-2024

OSHA 8-60.1. (Rev.06/17)

UNITED STATES  
DEPARTMENT OF LABOR

Occupational Safety and Health Administration  
200 Constitution Ave NW  
Washington, DC 20210  
☎ 800-321-6742 (OSHA)  
TTY  
www.OSHA.gov

FEDERAL GOVERNMENT

White House  
Severe Storm and Flood Recovery Assistance  
Disaster Recovery Assistance  
DisasterAssistance.gov  
USA.gov  
No Fear Act Data  
U.S. Office of Special Counsel

OCCUPATIONAL SAFETY AND HEALTH

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Accessibility Statement

Dear US Department of Labor,

The NSWCPD code 333 hired me in August 2020 last year. Listed below are the reasons I believe the command and the department abused me between August 2020- present and tried to kill me on a work related USV ride on April 8 in Mobile Alabama for which I requested worker compensation.

1. In October 2020 upon request to witness a test the manager called me at the shock and vibration test lab in Philadelphia and the lab manager indirectly humiliated me in front of their contractors (from Lockheed Martine) and employees (from NSWCPD and NSWCCD). He said that there is a mop and bucket and I should start mopping his lab's floor. I respectfully disregarded their unprofessional behavior however the lead engineer, Ms. Backes, assigned work to constantly irritate and humiliate me year-round, in all her emails she listed to "clean up" spreadsheets reminding me of the treatment in the lab in October 2020. She did that while keeping the managers on copy and the managers did nothing to stop her unprofessional behavior. They wrote letters accusing me for unprofessional behavior that they exercised as team year-round and for unprofessional things that they did to and around me.
2. Both the hiring manager Rob. T and division head Jeff.G mentored me since last year. The lead said the hiring manager Rob. T does not know anything about her job and she was assigning opposite tasks compare to how the division head was suggesting on phone. E.G: - The division head use to suggest to talk to ISEA to analyze the risks associated with the equipment. The lead suggests to only self-analyze risk no need for discussion with anyone from other departments to learn anything about the equipment or its operation. She spent more time charging the NWA timesheet on a project to only work on her own without input from other groups or contractors. I initially thought she wanted to be in charge of contact with external group. Later I saw her questions to other groups were generic and vague- "What will be the impact of this equipment failure on the mission of the ship?" The work and analysis that she should have done as an engineer was asked as a question to ISEA at the end of few months of sitting on a project and a shock certification was granted based on the response from ISEA and the fact that the equipment wasn't meeting test requirements. Neither the team nor the contractor use to perform any analysis on the equipment or its design to understand what and why the equipment failed the test. Example: - There was a project on 200Hz frequency converters on DDG ship with circuit breaker failure during test on a ship that the lead and the senior shock engineers were working on since last 15 years. Without working with the ISEA and contractor to recommend how to fix the breaker design and associated failure before repeated retest of the circuit breaker or reviewing the design change in the circuit breaker, the team was asking the contractor to retest the equipment over and over again. I suggested to the lead that a computer simulation or CAD analysis model could assist with analysis of the breaker design or identifying root cause of the design failure prior to test in such situation. However, the lead and senior engineers were more interested to ensure the project stays open for 15 years or long duration so they get charge/NWA/timesheets to continue working instead of fixing the failures. Such projects when tested may open opportunities for the team to travel to witness test etc. and they do not want to fix anything and continue expanding the project to get their own salaries, government travel and luxury trips to Washington DC for discussion with warrant holder or even program office.

3. After establishing mentoring with Jeff.G the division head, I once found a note on a desk near Christina's desk where she asked me to sit that, Jeff.G was an engineer at Code 333 few years ago and an old org chart listing him as code 333 employee. I thought some of the things he said use to rime the bullying coworkers. He was very interested to maintain ship inspection jobs within code 333 that Christina Backes was leading in luxury.
4. The code 333 team and the lead, Christina, use to generate redundant and administrative tasks like database editing without any quality source and charge over time on timesheet as a team. NSDB and Eshock database for which the lead got recognition in press was such job. Code 333 was the owner of NSDB database and the lead had administration rights to edit and assign editing rights of the database. She generated a task that she called validation of the NSDB database. There was no source to validate the data. The entire shock engineering team was spending large amount of over time marking in a spread sheet that the database has information like test reports or not. I believe the ownership of the database was transfer to IT and thus the code 333 group wasn't letting go of the easy over time money from redundant tasks.
5. The lead once over the phone when I asked question about how she was analyzing the shock risks, said that I have a non-native accent and thus she thinks I have hard time explaining myself. She was comparing me with their department admin Karen. B, asking me why do I think Karen writes short emails that are hard to interpret. She tried to humiliate me and make me feel bad to stop me with seeking information about my job as certification engineer. As engineer I should ask questions to learn about the job and the work assigned. She discouraged me to ask question by saying discriminatory things about my pronunciation, emails and how I write. The manager Jeff.D (who challenged my worker compensation) use to follow the lead engineer, Christina Backes's lead and write emails to the hr (forwarded to me by him to humiliate) that I am ESL and thus unable to understand that he was not offering sick leave after the work place injury because that are the options from his command and I have no sick leave as I am new. I think the managers and the lead engineers together intentionally caused drama around me. Jeff.D also suggested that I should discuss career development plan with AO instead of managers after misguiding me about job performance and other opportunities at the command. The managers like Jeff.D do not have technical skills, similar to the engineers at Code 333 to train or guide new engineers. They rely on individuals that are manager's pet or manager pleasures to promote and fill lead and senior engineer positions. Jeff.G once told me that there is hierarchy and most individual promoted to higher positions are internally to NSWCPD or other NSWC organizations. They don't hire individuals from outside for management or senior positions.
6. The lead once said over the phone that they were thinking they will get more funding from the command after hiring me. They did not receive anything and thus she has no work other than excel sheet "clean up" tasks.
7. After getting a cubical earlier this year in March 2021, I reported to the department AO that someone left a large children ball in my cubicle along with some other odd items (energy drinks, bottles etc.). Although, it could be the belonging of the person working previously, I have no idea why those things are still in the cubicle. I was told to move the box with the ball etc. to the department's admin Christina Flagan's cubicle after the AO contacted Jeff.
8. The lead engineer, Ms. Christina Backes use to write funny and odd clichés and names like "Ey Boya" in emails to irritate me, when reported to the division head and human resources, Jeff.G

wrote letter of caution against me. Thus, I believe the engineers and lead were following division head's directions to cause drama and they forced me to write emails after irritating as they were writing such emails themselves initially. And they took disciplinary actions against me to terminate my employment.

9. During the interview they told me that my job involves writing official letters to chief engineers in Washington DC to request funding for ship shock certification. I found that the inspection funding requested was not used properly by the code, the inspection data was of no use and stored in individual cabinets to waste, they were abusing money during inspection trips, buying personal use equipment and safety shoes after charging over time money during inspection and they were suggesting me to do the same. I notified to the manager and the HR in January and February of 2021 about the abuse of money and command resources. The hr. suggested that I do not have proof and only listening to coworkers.
10. I also suspect that the department and the command intentionally offered a job on an unmanned surface ship in Mobile, Alabama on April 8 2021 to cause physical and mental trauma. This is because I contacted the human resource representative in January and February and reported the lead engineer's behavior. I added the HR interview letters and the letters that I shared with the hr. to the attached worker compensation Case number: 550061639. Date of Injury: 04/08/21 to department of labor between May 2021 and June 2021.
11. Today June 8 2021, they terminated my employment. The manager, Jeff Gosh, was my mentor since October 2020, he intentionally caused drama and misguided me using help from code 333 employees. They as a team bullied me year-round and caused physical and mental trauma in addition to making me unemployed. They wrongfully terminated my employment after false accusations. After the health condition in the boat on April 8, they did not call doctor on time to help and suggested to continue working. They can kill me if I appeal or get authorization from regulatory agencies to return to work again. They negatively impacted my career, physical health and mental health since August 2020.
12. Today, June 8<sup>th</sup> 2021, during termination of employment, they called 911 or their command's police and further showed that they are fraudulent employer with serious funding issues and need to get government funding to run their department and command that they can get rid of anyone who comes into their way.
13. The cause of the termination of employment is as manipulative and fake as they are as a management and as a command.
14. Matthew. K the manager for code 511 was asked to join the HR panel for hiring code 333 manager he discussed during interview in March 2021 and he took direction for Jeff D the BH and Jeff G the division head to create my assignment around underway test as rotation requirement. I told Jeff D and Jeff G in February 2021 that I am looking for a job on USV and thought it was a strange coincidence that they hired USV control system manager from code 511 on hiring panel same time that I was looking to leave code 333 and department 30 to join dept 50.
15. Although, there were multiple individuals on the boat on April 8 2021, I was the only person who was first time onboard the boat and I was the only person who was tasked to close the doors behind while walking in the engine room as I was following others. I requested the lead engineer to visit the engine room on second day however he still took me to the engine room

between vibration and noise twice after the boat began its journey on the first day on April 8 2021.

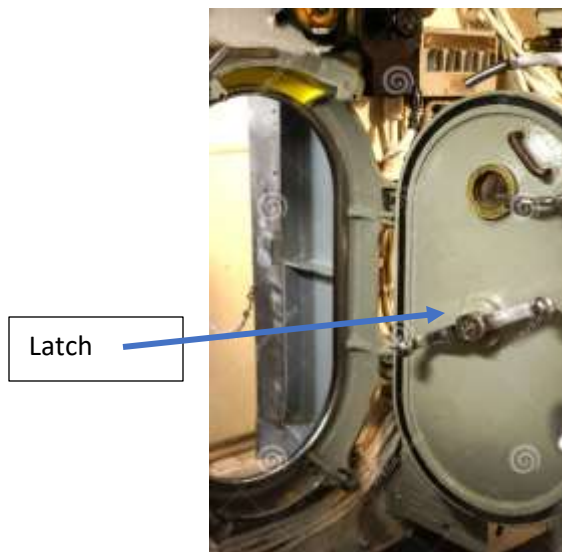
16. In the boat the lead told the captain who was giving safety briefing for unexpected situations during the trip that he recommended me to take motion sickness medication before on board. He made a false statement to the boat's captain. I do not recall mention of motion sickness medication in emails or verbally to take before the boat ride from the lead or anyone from the code 511 group prior to April 8 after we were on the boat. On April 5, he said the ride could be rough however he looked online the weather looks sunny in 70s the week we will be underway. He said he was surprised that it was raining however he brought his rain gear and did not advised me to bring mine prior to the boat ride. I was wet and feeling cold when I entered the boat on April 8. In the morning, April 8 5:00am, I was asked to drive myself and the lead engineer to the boat and the lead engineer did not brought his car to Austal USA. Early morning at 5:00am, he was very rude in giving direction to the location of the boat and yelling to follow even when mistakenly I drive in wrong lane or make wrong turn. I requested him that starting April 9 we should drive separate cars however he said we will see that on April 9 and there are parking issues for visitor without ID cards. He did not help me get my own ID card at Austal USA even when I was assigned to be at Austal for the full month. I now think the lead may have known prior to April 8 boat ride that I won't be in the health condition to stay on the boat for long.
17. Upon returning my visitor ID at the Austal USA ID office I saw a banner that "All employees injured/sick at their company's premises should visit doctor". When I asked the lead that there is a banner at the ID office at Austal USA to see a doctor if I get sick/injured while at their company's premises on April 8 and I feel fatigued and tired and my hands are hurting unable to drive. The lead advised to rest on weekend and start working on Monday in spite of weakness and fatigue that I told him I was suffering after the boat ride on April 8. I felt weakness in my hands so much that I was not able to hold the steering wheel to drive my car on April 8. He said it is normal to feel fatigued and tiredness and there is never a need to see a doctor. They initially made me feel that I should not visit doctors and keep working. I should have fainted, fallen or died if I have stayed on the boat for a week after April 8 2021. The manager Jeff D a week after the boat ride advised that there is no need to see a doctor, he will approve sick leave but I do not need to follow his advice not to see a doctor. I can see a doctor if I wish.
18. My PT doctor advised in May ask the managers to bring pictures of how I was holding the door and applying pressure to the door and bending my head and knees/hip while on the boat on April 8. He wanted to ensure he don't make me do exercises to bend my hands or legs in wrong manner to cause fracture or worsen my symptoms. I requested both managers Jeff D and Matthew K and human resources Robin to arrange the pictures or videos from the underway trip on April 8 2021. They never shared anything or responded to those email requests.
19. The Inspector General Audit happened for the Naval Surface Warfare Center for last year and they in January/ February cleared the department with no issues or corrective actions. Thus, I thought this is the command's culture and their ways of working. But I still reported to HR in January/February and they advised to contact union as they support the management.

Please let me know if you can help. I am still feeling pain in my hands, knees, legs, my back and neck is bruised and I am having lot of rectal pain after the work-related trip on April 8 2021. I need time for recovery and finding employment.

**On April 8 2021, I was assigned temporary duty on an Unmanned Surface Vessel, referred to as boat, in mobile bay, on sea in the ocean when this incident happened.**

- 1) **My hands, back bone pain and lower back pain is resulting from trying to close the engine room door that was not closing due to high speed at which the boat was running and sitting on the toilet seat in the boat when it was speeding without warning.** The boat's engine room has a large latch door typically seen in military vessels to seal the compartment, water proof the area and regulate pressure etc. When the boat was running at around 19knots, verified the speed after reading radar screen in captain room, I was advised to visit the engine room to review all machinery control systems, their functions and operation. The engine room's door was not able to shut close due to the high speed at which the boat was running. I was directed to close the door by the senior engineer several times independently. I told him I was not able to close it and I was asked to keep trying and use all force. The latch of the door was bigger than my height and it covered the entire area of the door unlike the picture below where the latch is small. I tried putting both hands and gripped the door tight to close it however due to the increased speed of the boat the door pushed my body away as I forced it to close. I felt sever hurt and bumps in my body. There was an extreme feeling for tiredness and fatigue. The engine room has high level of noise and thus I was not able to speak loudly that I'm not able to close the door but feel tired and fatigued but I still yelled. The senior engineer showed his concern that I am not able to do simple things like closing doors, he tried closing the door and was not successful either and he left the door open and asked me to continue following him in the noisy engine room. Although, I wore the ear protection the engine noise was creating stress and increasing my fatigue and tiredness. This happen few hours after the boat left the shore most probably before the safety drill by captain (not sure about the time but it was between 6m to 8 am when the boat was still near the shore and I was not feeling healthy as the boat was speeding. I also noticed that my grip was getting weak and my tiredness and fatigue was increasing. I was informing the senior engineers that I am feeling fatigued and tired and they were pushing me to continue walking on the speeding boat as it is normal in their view. I applied too much force with my two hands thus my hands, fingers, finger bones, arm and elbow and backbone is still hurting.

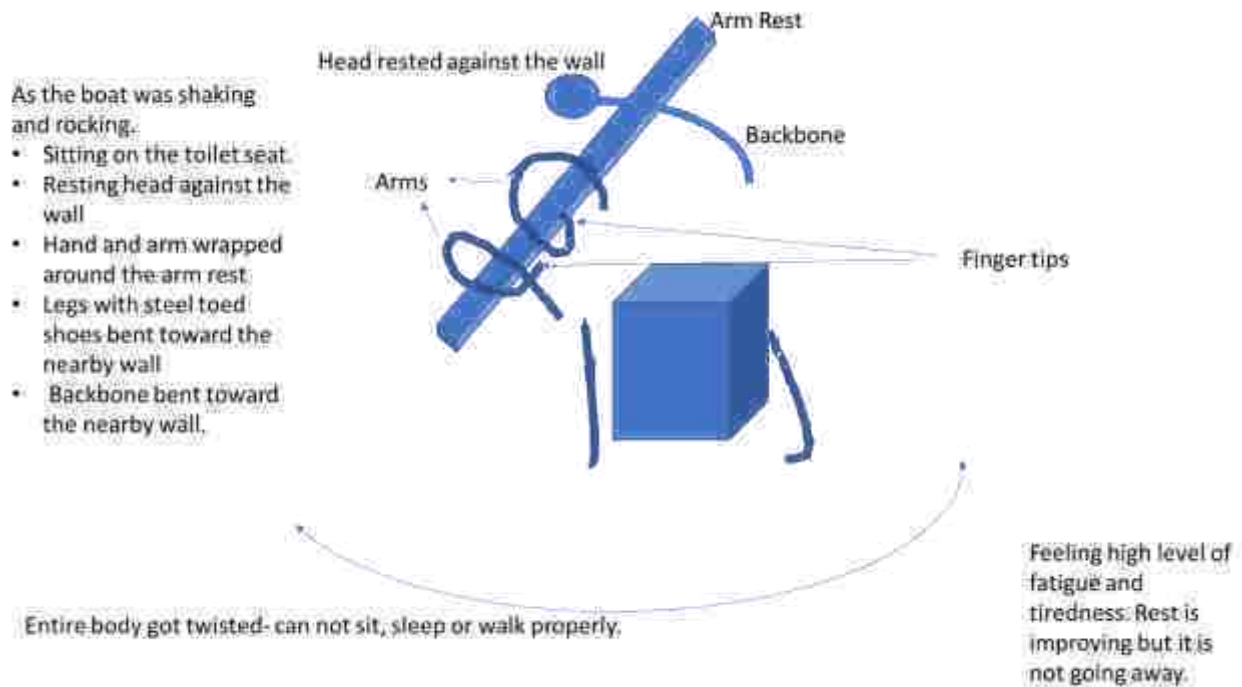




Note: This is not the exact door on the USV, boat. The engine room door is similar in construction however its internal mechanism is open and thus the notches on the door could hurt if one is not careful opening the door on the actual USV.

<https://www.google.com/url?sa=i&url=https%3A%2F%2Fwww.dreamstime.com%2Fstock-photo-hatch-uss-razorback-diesel-submarine-balao-class-was-built-portsmouth-naval-shipyard-kittery-maine-image53126952&psig=AOvVaw35m-h8zjs7qplcvCQpCAsQ&ust=1619684921582000&source=images&cd=vfe&ved=0CAkQjhxqFwoTCNi7kNbCoPACFQAAAAAdAAAAABAs>

After this early morning extreme fatigued and tiredness at every speedy and brake I was having more and more pain in the backbone and feeling more tired and fatigued throughout the day. When the boat entered the ocean current it started shaking sideways- right to left. Worsening my existing condition of fatigued and tiredness after trying to close the engine room door. I started throwing out which was analyzed by the senior engineers as motion sickness and normal. I wasn't just feeling dizzy, if I have not sat down on a chair I should have fallen or fainted down. I spent rest of the time on the boat throwing out and lost control of bowel and urine discharge. In the toilet I wasn't able to sit on the seat. I did not had strength to grab the toilet seat arm rest and thus was hugging the arm rest to ensure I do not fall. My head and legs were hitting constantly on the partition wall of the toilet worsening my fatigue and tiredness.



I built a sketch, attached for review, the rectangle was the toilet seat and the final location of my backbone, hands, legs, head when I was grabbing the toilet rest with my entire body to ensure I don't fall off the toilet seat when I lost control of solid and liquid waste removal functions from external organs due to motion sickness. My entire body is twisted and painful not just backbone and hands. The tiredness and fatigue that I felt after that day on April 8 is not going away however it is reduced due to rest and the over-the-counter medication.

My eyes and head were hurting the most on April 8 and I felt fatigued and tired and was sleeping on the chair of the boat when not vomiting or using toilet. **My flashes and floaters in both eyes have been increased since April 8 trip however according to my eye specialist the boat ride has not cracked the buckles in my eyes to cause blindness as of yet and buckle looks not impacted after the trip. My entire body is hurting even today because of how I grabbed the toilet seat arm while sitting on the toilet in the boat and the work that I was directed to do to close the engine room door with force when it was shaking and I need rest. Because of the way my head, backbone, hands, arms, fingers, legs, thigh absorbed vibration that day on April 8, I think I am having pain and feeling uncomfortable sitting, standing, walking and even sleeping even today April 28 2021.**

- 2) Prior to the trip at a meeting on Monday April 5 at the Philadelphia base building 1000, I was advised by a team of senior engineers not to bring sweaters or coat on the boat as the weather in mobile area is 70 degree and the trip, on the unmanned surface vessel, referred as the boat, that the team was supporting since last two year won't require protection. However, I recall a conversation between the same senior engineering team earlier that the HVAC system on the boat does not have a proper control system and it is like a residential AC. Hence, I brought a sweater and coat. And I made the right choice as I felt cold and fever on the boat even after wearing a sweater, I was still feeling cold and high fever when on the boat on April 8, I reported

to the senior engineers that I feel cold and fever however nothing was offered to help. I was told it is normal to feel sick and I will be alright resting on the weekends.

**I did not received medical care that I should have on board of the boat and as a result I suffered for last three weeks, since April 8, and still not sure if my join pains in hands, leg or backbone will go away after resting. I never had any issues around bones and joint pains in my life and I was left to suffer on the boat without medical care and only I know how hard it was to return on my own.**

**I do not feel healthy to type letters as my fingers hurt, unable to sit on chair comfortably, unable to walk comfortably but I was asked by the management to return to work on light duty and thus I requested an MD doctor to write a note for management. I feel fatigued and tired and my bones are hurting still as listed in the notes to the doctor. I do not have sick leave to rest and still pushing myself to continue working. Getting sicker and developing new symptom every day.**

**Due to COVID the doctor's office has limited availability and I was only able to find CNPR as primary care. However, I requested her to find a doctor who can cosigned the medical documents.**

### **Job Title and related Issues**

Ship shock Certification Issues: -

Certification of ship is a new term introduced 4 years ago by code 333 and similar groups in Washington DC. It was defined opposite to the industry definition of certification. Example: Type certification of aircraft where requirements that are met by test, analysis or both are used by regulatory agencies like FAA or FRA to grant certification. Shock Certification was trying to identify equipment and requirements not met during equipment certification and accepting the fact that that equipment is not certified and won't be able to. Calling them shock certification, a fact that few equipment is not shock qualified (their requirements are not met). No analysis needed the program office hands a list of non-qualified equipment and you hand it back to the program office after sitting on the list for few months. Call it "shock certification." The job involved no technical analysis and thus is political in nature. Risk assessment was the only output that was based on insufficient to no knowledge of the equipment or the ship component. No collaboration or attempt with anyone from the contractors to learn about the ship components. Since last year, I was never introduced with anyone internally called ISEA with knowledge or information to help analyze risks. A bunch of individuals with 20 year of work experience in test, code 333, performing risk assessment based on what they know. There is no training or need to know anything about the ship board equipment and I was confident that the leads like Christina Backes performing the risk assessments did not know or cared about the ship board equipment. There is no need of such risk documentation that are individual opinion based on no technical data because it is fake information stored in individual cabinets. I saw that the employees were only concerned about their employment, salaries and retirement. No need or technical knowledge of ship board equipment. They told me verbally, anything on a ship is a ship board equipment. In inspection, the team brings pictures of bags, personal belongings, book cases, tool boxes etc. without trying to figure if the items were left during docking. Inspections are means for employees to go on trips using government credit card and enjoy. Upon return they ensure they create documents by bringing pictures of anything they find on the ship to show that they work. Add medium or high-risk factor to risk assessments and keep negotiating with program office engineers that the they found "100s of high or medium risk ship on board equipment" and thus keep funding our inspection jobs and trips. Why do you need mechanical engineers to perform tasks like taking pictures of personal items? That work could be done by an auditor with high school education. This job was a waste of taxpayer money. And they had a team of 30 degreed mechanical engineers using government defense funding and making luxury trips to do work that could be done by individuals with half of their salary.

One can hire all engineers for inspection job- "ship shock certification" in the world (Navy has 500+ ships keep hiring) and give them the list or excel sheet to sit for few months and hand it back to program office and chief engineers who will grant "ship shock certification". That is not a technical mechanical engineering position. Let's work together to use the defense budget to

ensure we all get our salaries, promotions and make luxury and useless trips to Washington DC using government credit cards.

On the USV project, on which I was injured at work April 8, I saw employees earning rewards on airline tickets, hotels, restaurants, charging over time to work on weekends (review stuff), they were planning to take retirement and go on vacation trips using the rewards earned at the end of the USV project.

Not sure why treat me unfairly and making joke out of my life handing me mops and buckets upon hiring, when they screwed the defense budget for 20 years or even more (ship inspections were since forever). No one will audit them as they are the "government- US Navy". They have cabinets filled with pictures of personal belongings of sailors to show that they collected lot of data from surveys and inspection.

**I asked simple question since last year. What is the technical engineering theory behind ship shock certification, shock qualification and vibration qualification? This is an engineering position (Mechanical Engineering) as listed in hiring and termination letter. What engineering theory is used by the ship shock certification group to evaluate the equipment that we know nothing about? Why don't we learn about the ship board equipment and adopt new vibration and shock simulation technologies widely used by Department of Transportation for car industry for example car crash worthiness assessments. Simulations could bring cost savings reducing the expensive tests or test may be needed initially parallel to computer simulations. We are the only engineers US Navy have and rely on? How are the inspection helping US Navy to build or maintain strong fleet of ships? How are our inspections helping the sailors and making the fleet that they operate safer or reliable? I was a new Mechanical Engineer and I had a need to know what is this "shock certification and inspection" job that I am asked to perform. I was told by the lead that the team was concerned about computer models (it will take away their jobs most experienced engineers are not skilled in computer modeling and simulations, they graduated years ago from college and never used computer models). They did not had experience in computer simulation or cared about learning computer modeling as Christina Backes once stated. No response on the theory behind ship shock certification, shock qualification and vibration qualification other than termination letter and false accusation.**

### Notes to share with the doctor regarding medical condition

**April 8<sup>th</sup> 2021** – Underway trip at 5:30am onboard of the boat. Feeling very healthy. Smooth ride when the boat left the mobile bay docking area.

Meals for the day: Around 4:30am at the hotel ate half pastry. At around 6:00am drink coffee on board, veggie patty and two slice of bread from the boat's kitchen. Unable to eat full day due to bad health. 7pm – needed sugar based drink, feeling fatigue and sour/bitter taste – one small cup of apple juice on board of the boat.

When the boat entered the ocean currents around noon it started speeding and when it stopped (brake application for test without announcement) I threw out. Started feeling cold and fever notified senior engineers about fatigue, fever and motion sickness. Repeatedly threw out 6 to 7 times for the day at nearly every stop, sour and bitter taste in mouth. There was dumpster on the deck outside designated throw-out area for everyone. Full day feeling fatigued, cold and fever. Was not able to walk and was getting hit by the tables, chairs, entry/exit doors, toilet door, bathroom sink while making my way to the throw-out area and toilet. Everything was shaking and vibrating when the boat speedup and stop. After drinking apple juice around late afternoon got energy to get back to the hotel. Severe headaches and eye pain sent email to Matt and Jeff requesting to remove from underway trips evening around Thursday, April 8, 2021 21:48. Slept right away.

**April 9<sup>th</sup> 2021** – Wakeup fatigued, low strength, bitter and sour taste buds, having hard time walking due to stiff body joints and severe pain in eyes and headaches. Took ibuprofen tablets.

Pier Side trip at 8:30am onboard of the boat. Feeling much better than April 8 after taking the tablets.

Meals for the day- 7am –half of the pastry, Apple Juice 9:00- Onboard of ship slice of bread and one hard boil egg, lunch - cookies and few spoons of rice and corn on board the boat. Ate nothing at night.

Feeling only little fatigued however not interested to eat anything due to sour taste buds. Hot patch towels and shower to calm the fatigue and tiredness, mild back pain and stiffness, unable to grip objects fully, went to bed late.

**April 10<sup>th</sup> 2021** – Wakeup late again at the hotel hot patch towels and shower to calm the back stiffness. Feeling well drove to Pensacola around 10am. Feeling only little fatigued however not interested to eat anything due to sour taste buds.

Meals for the day- After 1:30pm Pastry at the airport and tomato fries with lot of water. Snacks and cookies

Reached apartment at 8:30pm. Ate nothing, took Advil ibuprofen tablets went to sleep.

**April 11<sup>th</sup> 2021** – Wake up late around 12:30pm after hearing loud ringing in ears -sound of the engine and the fire drill. With severe head ache and eye pain. Back stiff, lower back pain, early period, very fatigued and tiredness, unable to grip objects, falling when trying to walk. Also, I got periods on Sunday and it is very high amount of bleeding than typically for first day and it is a week early. Since this morning my back bone is stiff and lower back is hurting. Call tele med doctor appointment, the doc does not think an X-ray of back will help as the pain I experienced is reducing after taking ibuprofen tables and he recommended to take the tablets three times a day until I feel well again. Put hot patches to calm the back.

However, if the conditions are not improved in few days we will have to schedule lab test. He recommended complete bed rest until full recovery as he thinks the pain is due to vibrations and noise in the boat or hitting some object during the motion of the boat, it will heal eventually on its own in few days. He gave note until 4/13 (attached) for rest and follow up with primary care or teledoc if the pain does not go away in few days.

Bought grocery. Sleeping most of the day and night.

Meal for the day- few bottles of apple juice. Cooked frozen food. Ate food, Advil twice and Nyquil went to bed early.

**April 12<sup>th</sup> 2021** – Wake up late around 12:30am stiff back. Very fatigued and tiredness, unable to grip objects, slow when trying to walk, pain sitting, walking, sleeping in lower back, unable to see fluctuating vision in both eyes. Sleeping most of the day and night. Meal for the day- few bottles of apple juice. Cooked light food. Ate food, Advil twice a day and Nyquil went to bed early.

**April 13<sup>th</sup> 2021** – Wake up late around 12:30am stiff back. Very fatigued and tiredness, unable to grip objects, falling/shaking when trying to walk, pain sitting, walking, sleeping in lower back. Very low bleeding end of periods, unable to see fluctuating vision in both eyes. Sleeping most of the day and night.

Meal for the day- cooked rice and few bottles of apple juice, snacks. Ate food, Advil twice a day and Nyquil went to bed early.

**April 14<sup>th</sup> 2021** – Wake up late around 9:30am stiff back. Some fatigued and tiredness, No bleeding, Digestion issues and stomach cramps. Feel tired and restless, some fluctuating vision in both eyes. Left eye high waviness and blurry vision. Sleeping most of the day and night.

Meal for the day- Two slice of bread, tea, apple juice, snacks, 2 Advil, rice, yogurt and eggs.

**April 15<sup>th</sup> 2021** – Sleeping most of the day and night. Back bone stiff. Palm's right-side pains when pressed against something to grab, the figures experience numbness and pain at joints while movement and typing. However able to type after adjusting and moving figures and palm rest location. Back hurts when changing clothing. Pain is inward from outside towards the backbone. When bent the pain is more severe than standing. Arms when moved to grab experience sever pain at joints. Legs hurt when walking so as ankle and foot joints. Having hard time and pain sitting in car, when the car vibrates the body experience discomfort. Unable to drive vehicle comfortably however managing to drive anyway, only driving short distances. Hot bath and hot pads calm the pain for a while. Hence taking hot showers frequently since April 9<sup>th</sup> and adding bengay to muscle near back. It is difficult to reach back areas due to difficulty bending. When sitting the buttock joints and bones feel pain, so adjusting sitting position frequently. Same issues during sleeping taking ibuprofen tables three times a day. When the tablet is not taken the pain is severe in head and joints. Hence whenever awake on pain relieving medication or hot pad/bath. Fatigued and tired resting and sleeping most of the day. Lower belly hurts when and after food intake and some burn urinating.

**April 16<sup>th</sup> 2021** – Ophthalmologist appointment. Sleeping most of the day and night. Sleeping most of the day and night. Back bone stiff. Palm's right-side pains when pressed against something to grab, the figures experience numbness and pain at joints while movement and typing. However able to type after adjusting and moving figures and palm rest location. Back hurts when changing clothing. Pain is inward from outside towards the backbone. When bent the pain is more severe than standing. Arms when moved to grab experience sever pain at joints. Legs hurt when walking so as ankle and foot joints. Having hard time and pain sitting in car, when the car vibrates the body experience discomfort. Unable to drive vehicle comfortably however managing to drive



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**April 17<sup>th</sup>-21<sup>st</sup> 2021** —. Back bone stiff. Palm's right-side pains when pressed against something to grab, the figures experience numbness and pain at joints while movement and typing. However able to type after adjusting and moving figures and palm rest location. Back hurts when changing clothing. Pain is inward from outside towards the backbone. When bent the pain is more severe than standing. Arms when moved to grab experience sever pain at joints. Legs hurt when walking so as ankle and foot joints. Having hard time and pain sitting in car, when the car vibrates the body experience discomfort. Unable to drive vehicle comfortably however managing to drive anyway, only driving short distances. Hot bath and hot pads calm the pain for a while. Hence taking hot sowers frequently since April 9<sup>th</sup> and adding bengay to muscle near back. It is difficult to reach back areas due to difficulty bending. When sitting the buttock joints and bones feel pain, so adjusting sitting position frequently. The pain travel few inches down and the back leg bones are paining. Same issues during sleeping taking ibuprofen tables three times a day. When the tablet is not taken the pain is severe in head and joints. Hence whenever awake on pain relieving medication or hot pad/bath. Fatigued and tired resting and sleeping most of the day. Fatigued and tired resting and sleeping most of the day. Lower belly hurts when and after food intake and some burn urinating.

**April 20<sup>th</sup> 2021** —primary care appointment. Based on suggestions from Ophthalmologist and primary care and health conditions next week on April 22<sup>nd</sup> determine work start date or extend sick leave.

**April 22<sup>nd</sup> 2021** —Ultrasound Test. After ultrasound test when I was driving to home from the clinic, stuck in traffic was in car for around an hour as result, I was feeling nausea however did not vomit. Late night was unable to sleep due to back pain and took Advil 200mg tablets around midnight.

**April 23 2021** - Took COVID Dose 2, 4/23/2021 left arm pain since morning after taking the vaccine. Wrist pain increased after driving more than 1 hour. I was feeling nausea when driving my car and body pain due to car vibration however did not vomit. Got out of the car and walked. Changing the medication to Bayer Asprin 500mg tablets. Discussed with Dr. via email. Sent a sketch to the Dr with description of the final position of my head, fingers, arm, backbone, legs when I was sitting in the toilet seat on the boat on April 8<sup>th</sup>. I forgot this on my first visit with the doctor.

I recall how I was sitting on the toilet seat to ensure I don't fall as the boat was rocking that day. Maybe I will describe the PT doctor next week. I think my body got bent and absorbed vibration from boat because of the way I grabbed the toilet seat arm rest to ensure I don't fall off the toilet seat on the boat.

I built a sketch, attached for review, the rectangle was the toilet seat and the final location of my backbone, hands, legs, head when I was grabbing the toilet rest with my entire body to ensure I don't fall off the toilet seat when I lost control of solid and liquid waste removal functions from external organs due to motion sickness. My entire body is twisted and painful not just backbone and hands. The tiredness and fatigue that I felt after that day on April 8 is not going away however it is reduced due to rest and the over-the-counter medication.

My eyes and head were hurting the most on April 8 and I felt fatigued and tired and was sleeping on the chair of the boat when not vomiting or using toilet. My entire body is hurting because of how I grabbed the toilet seat arm while sitting on the toilet in the boat when it was shaking. Because of the way my head, backbone, hands, arms, fingers, legs, thigh absorbed vibration that day on April 8, I think I am having pain and feeling uncomfortable sitting, standing, walking and even sleeping.

**April 24 2021** - I do not have Salonpas (lidocaine) anymore after today. Requested primary care if I can use bengay creme instead. That cream's effect stays for long time after application, it is more soothing than the Salonpas (lidocaine)pads. There is no pain relieved when I add Salonpas (lidocaine) to finger joints, knees or thigh. The pads only limit the motion of the finger and thus reduce the pain when I am using the fingers. Although, I used Salonpas (lidocaine) since last Sunday, I did not saw reduction in pain after application.

Dr. suggested acetaminophen (brand name not necessary) 1000 mg every 8 hours as needed. Not recommend muscle relaxers. But it is ok to apply bengay.

**April 25 2021** - I took my first Tylenol 500 mg dose yesterday 4/24 at around 10am and 6pm in evening. This morning, 4/25, around 3am, I woke up and vomited some liquid white and yellow.

When the Tylenol acetaminophen 500 mg is taken for the first two hours my pain is still there. Than for around 4 hours I feel no pain and slowly the pain comes back.

#### **Current difficulties and area of pain**

**Hands-** When I grip something or press my palm around any object. I feel tinkle in the fingers that causes pain in the bones of the finger joint if the object is held the pain travels to the wrist and the arm and elbow starting paining. If the object is held for long like when I carry the purse the elbows kept paining and after a while I either want to drop the object or change it to another hand. I feel tired and fatigued for holding small objects and cannot carry heavy weight. When I am typing my back and my hands both hurt so I keep resting the fingers and palm and moving the body/back to continue completing typing tasks. When typing on phone while laying back or sitting on chair, I feel no blood supply in wrist and finger joints and severe pain and I keep changing my hand's position to continue typing. At the end of typing I feel exhausted and tired and need rest.

**Legs-** When I stand my feet sends a little pain initially up into legs and knee. The legs starting paining but I keep walking and after sometime get tired and fatigue. I do not want to sit because when the backbone is bent to sit the entire body pains and the bottom of thigh muscle used to sit were repeatedly bumped by the toilet seat on April 8 on the boat and there is an area that pains a lot while seating. I have to either find a position that does not pain or keep changing the seating position.

**Backbone-** When sleeping the backbone hurts the most. It also hurts when changing clothes. Was unable to bend as the backbone was stiff now, after sitting in car and driving around, I can bend backbone but it pains a lot. I sometime feel it makes a little tick noise when I move my back sideways- left and right.

**When I sit in car-** I can not bend easily and try to slide my legs and body slowly inside the car seat. My body pains when seated so I have to give myself sometime to let the pain absorb than start driving. I continuously feel pain when sitting in car even as a passenger. On April 8 and April 9, my pain was maximum and I suggested coworkers to drive the vehicle as I did not think I had control over steering wheel. I noticed on April 8 evening that my pain fades away when I take hot showers. I have been taking hot showers, adding hot towel layers on all painful parts to continue working and moving. Whenever I go somewhere I add my hands under hot water and if possible, add hot water towels around bottom to ease the pain in sitting and walking.

**When I do any work in home-** I keep adding my hands under hot water and stand in front of AC or cold air to comfort the painful areas. I get tired too fast and still keep pushing myself to do laundry, buy grocery, cook, clean etc. As long as my hands stays under hot water, I can do most work. As soon as the hot water is removed, I start feeling more pain- fingers, joints, bones all started paining as a result. I take deep breath as I feel exhausted after doing little things around the home.

**When I walk-** When the feet hit the ground initially after waking up, the pain starts developing, as my weight is on the feet while standing, I start feeling painful initially and tired eventually. But after some time, I get used to the pain and keep feeling tired and exhausted after making small walking trips. When I return from outside, I want to sleep right away. I keep pushing myself to walk and keep getting tired. But I sleep or lay in bed most day so I am not exhausted when I stay home. Only exhausted when I go out. When the left leg is pressed the pain is less so I tend to put most weight on left leg but get tired so I keep switching between legs and walking is uncomfortable.

**When I sit –** The backbone hurts first than the thigh and seat bottom muscles get painful. The pain was higher on April 9 in comparison to today. However, the pain still travels around few inches inwards towards and the lower back is still a little painful. The knees hurt when pressed I am unable to bend the knees and sit on the knees. They hurt a lot when I try using them. Sitting while bending the knees is not possible.

**When I sleep-** There are rest positions that are comfortable and I find them after lying on my bed. I usually sleep in one position without movement on bed so once I find a comfortable position I sleep without issues. Sometimes if the pain killer is not taken before sleep I wake up or unable to sleep thus need Tylenol, Advil, NyQuil or Aspirin to sleep comfortably since April 11th.

**Head and Eyes-** I have headaches every morning when I wake up and have pain in eyes feel fatigued and tired and feel maximum pain in all bones, muscles and joints when I wake up every morning since April 9.

During the day I feel exhausted and tired after doing simple household work like cooking, cleaning and laundry. I feel fatigued when grocery shopping, driving or riding vehicle as it vibrates, typing something, moving hands or legs repetitiously, pushing shopping carts or carrying bags. I need breaks and frequent rest after outdoor visit like to see doctor's office, grocery shopping or walking.

#### **April 30 –**

1) yesterday my left leg was painful around the thigh area and very uncomfortable walking. I noticed that after work around 5:00pm.  
2) I wake up just now around 1:30am with feeling of nausea and vomiting however didn't vomiting yet. Yesterday I ate breakfast 4 slices of bread and lunch around noon rice, chickpea, cabbage, four slices of bread, with salad. For dinner one banana and apple juice.  
3) my finger are hurting badly around the wrist and finger bone joints and feeling sever pain when trying to form fist, both left and right hands. More pain in right hands. Pain increase when typing on phone and using keyboard on computer. Unable to sleep due to finger pain and need to take Tylenol before bed as a result.

4) At work this week so far I am attending online trainings and I can't remember training material and have to retake the training over and over again. I am having hard time remembering new training material. Yesterday I took a training twice and still failed the final test and kept retaking the final test and reviewing the training material and by the end of day in 9 hours, I only completed 1 training. Note I use to complete similar training in 1 to 2 hours since last year.

PT doctor recommended to request my manager to send video or pictures of the door on the boat that I wasn't able to close. I sent an email to my manager to forward any information that could help understand how I was gripping the boat's door and applying force in an attempt to force the door to close, it never closed. But my hands, finger and arm are hurting. I will let you know when the manager responds.

I also don't recall fully but when on boat on April 8 due to tiredness I sat on the floor of the engine room or maybe I was reviewing something not exactly sure that is when my knees were bent fully and were shaking due to engine room noise, vibration and motion of the boat. I am trying yoga to try to bend my knees and making slow progress. I will ask my manager to share any pictures of me sitting down bending my knees if possible to share with the doctors

My right leg joint with body, right knee and right leg bones are so painful that I am unable to sleep. Took Tylenol yesterday evening and taking one now to sleep. The pain is hurting like the right leg got hit and severe. It is traveling inside the center of the lower back causing discomfort laying down on back and either side. If I try to sleep on left side the right leg is still hurting. I try to add my body weight on left when walking however was trying to add body weight on right since last few days. On a scale of 10 the pain in right leg not left right now is 10.

My left thigh is hurting more than knee and leg which has some stiffness not a severe pain.

#### **May 2 2021**

The X-Ray of the hip and knees is scheduled on Tuesday 5/4 morning. The bruise on the left knee is faded and the pain is lowered after repeated yoga that I started since last week. On 5/4 I also have appointment with hand and elbow specialist at Navy Yard, Dr Adam Strohl.



The right hand has tiny, now visible, red dots in the palm, near elbow on hands, on elbow, and on the back finger joint as shown in the picture attached. When pressed the area around the red dot pains severely, on a scale of 10 the pain is 6-7. And the pain travels from palm to elbow. I scheduled an appointment with hand and elbow specialist on Tuesday after the hip/leg X-ray. My fingers and finger joints are also itchy and unable to raise the hands up for long or raise the arms up as the entire hand pains after a while. Also when I try sleeping right side the shoulder causes a slight pain that in decreasing however it feels like a small nail poked inside the arm.

As shown in the thigh PDF, the right and the left thigh has dead tissues and little bruises that when pressed produce severe pain, on a scale of 10 the pain is 6-7. When I try to sleep on right side the thigh pains and the hip develops severe pinch inside the hip body joint. Almost like a needle or nail is poked inside the right hip. The pain travels from hip to knee to ankles. The right side of the lower back starts aching after a while as a result. I have to switch the sleeping position right away. I can not bend to examine my legs on my own as my backbone does not bend well (not sure if there are tiny bruises or dots like what I found on right arm today). Last week when I contacted you the pain on the right leg was on the scale of 10. This morning it is reduced to 7 after two 1 hour each heat pad applications on Saturday. Also today, 5/2/2021 I walked pushing body weight on right leg. Initially it was very painful however eventually I did not feel a lot of pain. And hopefully tonight I will learn the condition of the hip's pain when I will try to sleep on right side again for few hours. My lower back has some pain after walking which is not going away after the two heating pad applications.

I have no idea how my backbone and back looks like as I cannot see it or examine. It pains when I wrap my arm around to try to reach back, I have trouble changing clothes. When I wear tight clothes I feel a little tired and fatigued. I am wearing loose clothes since April 8.

When I sit in car my backbone hurts. I tried driving 20 miles round trip on Saturday. After first 10 miles I think my stomach was upset a bit. But I got off the car and walked ate food at restaurant and returned to my apartment. Bought a large heating pad on my way and using it since then to reduce pain in back. It is relaxing only for backbone, thigh, knees and legs. The heating pad is not effective on hands at all.

#### **May 2 2021**

Chest Pain after sliding into bed even after taking Tylenol 500 mg tablet at night. Unable to sleep on right side properly. After asleep, I felt that my body moved without me moving with a jerk, it broke the sleep, raised the heart beat and shook the body.

#### **May 3 2021 Note to Dr Close.**

Yesterday I walked 0.1 miles and did lot of household activities all together- cooking, laundry, grocery shopping, driving. At night I was feeling some chest pain and tiredness. Right now, I am feeling lot of chest pain and my tiredness is not going away after sleep. My hands are still aching however the red dots faded compare to the pictures that I sent yesterday evening. The spots/dot on hand are visible when I do lot of activities and work. I feel tiredness and sleepy. Took the vitamin B12, iron tables and Tylenol after breakfast. I want to nap for a while before work.

#### **May 3 2021 Note to PT**

On Sunday I drove 20 miles, 10 miles one way and was feeling some discomfort in stomach after driving long distance and back pain. Bought heating pads on my way back and used it on weekends.

Saturday I walked 0.1 miles and did lot of household activities all together- cooking, laundry, grocery shopping, driving. At night I was feeling some chest pain and tiredness. This morning, I was feeling lot of chest pain and my tiredness is not going away after sleep. My hands are still aching however the red dots faded compare to the pictures that I took yesterday evening attached for review. The spots/dot on hand are visible when I do lot of activities and work. I feel tiredness and sleepy after multitasking activities and small household work. Took the vitamin B12, iron tables and Tylenol after breakfast and few naps.

#### **May 3 2021**

When I wake up after a nap around 10am I felt half of my brain is numb or asleep. I told myself that side of brain was not seen hit by any object and should be healthy. Discussed with PT Doctor at the appointment. They advised to relax and calm your brain.

#### **May 4<sup>th</sup> 2021 note to Dr. Close**

I still have pain in knee and right hip. I feel needle poked in right hip when pressed after sleeping on right side. The pain is reducing however not stopped. When I do yoga, I am able to bend the knees and sit for some time better than last week when I was having hard time bending the knees. I am not sure what is causing joint pains in legs if the joints are healthy. When I was taking B-12 injection last Friday the nurse was saying that my nerves may have stretched or have issues, as usually that causes pain if you experience excessive stretching in limbs. She wasn't sure thought. I am not sure what is causing fatigued and tiredness after slight household work, I multitask and complete all work very fast. I feel too slow and get tired very fast since I returned from the boat trip. Multitasking creates confusion and tiredness.

#### **May 5 2021**

PT Doctor was checking the neck area and I developed severe pain in one of the ears suddenly followed by a large floater in eye. The PT Doctor showed some relaxation exercise to try when the head and the ear pains.

#### **May 6 2021**

Got into period tingling pain in lower back too severe took Tylenol 500.

#### **May 7 note to Dr. Close.**

To be clear, after eye surgery in 2015, when I lost vision completely in left eye, I am concerned about my eye health and prefer to avoid activities that strain the eyes as a caution to protect the eyes. I also have some fear of ocean water when no land is in sight. I was not aware of the weather. And all these were contributing factors to my health on April 8 and not just the work.

After work around 5pm May 7, I feel severe pain in knee and hip when sitting on the work chair the pain stays in the area around knee and hip and does not travel like it used to throughout the leg. There are tingling that results in pain (needles) in hands and elbow as well. Neck was tingling and needle pining pain in several area around neck. Feeling tired went to bed. After asleep, I felt that my body moved without me moving with a jerk, it broke the sleep, raised the heart beat and shook the body.

**May 8 2021**

Woke up with a severe pain in right hip as I was sleeping on right side somehow. Upon fully up, I realized my brain is sleepy and I cannot feel anything in my brain not even the pain. After few minutes the fore head started hurting and underneath the skull feeling tingles. Eyes are hurting and feel like vision is lowered but fluctuating vision. The knees, both right and left, pains when folded tingling that results in needle pining pain but only the knee area is hurting pain does not travel to other part of legs. The hip pains like a needle pocking when sleeping on right side or when pressed or when legs are folded to sit. The left hip hurts less than right hip. The shoulders both right and left pains like needle pocking inside but the pain is not traveling into elbow like before. When typing the hands (finger, finger joint, area between finger used to type) tingle and pain. If the elbow is in contact with some surface like rested against something, it tingles and tiny needle pocking pain. Pain is not traveling down like before however it is still severe in the area of the pain. The neck is tingling and some areas in the right-side neck is paining constantly this morning as well. Drove around 50 miles (25 miles one way trip) around my apartment and my backbone and legs and hands are paining and tired however less than last week. Frequently got out of my car and made multiple stops throughout. Was tired around noon however continued short trips between shopping centers from Washington Township, NJ to Haddon Township, NJ until 5:30pm. Woke up few hours before midnight felt that the right arm moved in sleep without me moving it and paining badly. The arm felt needle pocking pain at joints- elbows, finger, shoulder. Unable to sleep as a result of pain for few hours.

**May 9 2021**

Woke up early morning feeling tired and restless. Stayed home cooked food. At noon, went on a drive around 45 miles round trip made few stops at various outlets to rest. Having difficulty getting inside the car due to pain in fingers and difficulty holding the steering the car. Around 6:16pm left thigh is very painful unable to walk. Backbone and neck are feeling tired and fatigued after driving.

**May 10 2021**

**Note to PCP**

A car drive 50 miles and some walk between 5/8-5/9 increased the red/black tissues on right thigh that I showed you at our last visit and created bruises from few inch above the knee, near the knee and near the leg and feet joint as shown in the pictures attached. I did not get hit but it is very uncomfortable to get in and out of car and walking. Sitting in car was very hard for full trip. After work every day my legs pain severely at joints knee and hip so as my fingers and elbow. The boat ride was a month ago and my body is not adjusting to car or any vibrating vehicles. I feel pain sitting in cabs as well.

The Neurologist appointment is too difficult to schedule they only see individuals who suffer severe Strokes right away. I never had any. Can we see Dr. Jack from neurosurgery instead? The scheduling individuals were not able to find referral and thus were not able to book the appointment. Would you please add a referral? The Penn neurologist is also July 15th appointment.

My left- and right-hand fingers are shaking and the hands are moving when I try to sleep. I added bam and massage the fingers however no improvement is seen. I try cutting vegetable this evening and unable to control the knife. The knife hits my fingers instead of cutting the veggie.

**May 11-** New PT exercise to roll hips and lower back while legs are raised high on an exercise ball and bike.

**May 12 and 13-** The lower back both right and left hurts like something is burning but still feel stretchy after adding heating pads lower the pain.

**May 14-** Continued New PT exercise to roll hips and lower back while legs are raised high on an exercise ball and bike. Severe back pain unable to sit on work chair, sleep in either sides or on back. Took Tylenol 500mg before bed woke up around 12:00am unable to get back to sleep until 4am. Severe pain, needle pocking inside back, the pain travel in hip causing discomfort and fatigue. Feel very tired and fatigued when back and hip pains.

**May 15 –**

**Hand Specialist Email**

My left fingertips when pressed are producing stretching and pain in the middle left front arm. I woke up this morning sleeping on the right side and the right shoulder and hands felt pins and needles in the compressed area. When driving my car, I noticed that when the hands are pressed against the steering wheel, it takes a while for the fingers to return to normal location/position. I feel numbness (when fingers are pressed), pain (when the fingers are moving) and stiffness (when fingers are stationary) in and between the fingers. I shake my hands when driving and doing household work to calm the fingers and hand pain when required. Attached are My Health Summary from Jefferson doctors - sports medicine, PCP, PT. I also updated the notes with daily health conditions until earlier this week that I share with my PCP and sports medicine specialist via email. Dr. Close, sport medicine specialist, recommended wearing wrist braces for less than 30 minutes to calm the pain in the hands, I will buy them soon.

**PCP and Dr. Close Email**

Would you please tell PT to stop the exercise to roll hips and lower back while legs are raised high on an exercise ball and running the bike for few minutes? The PT is having me roll legs when the exercise ball is placed under legs as shown in figure A. I feel stretch in the legs, hips and knees while doing the exercise. Unable to sleep, sit or stand after few hours or days. Severe pain, needle pocking inside lower back above hips, the pain travel in hip causing discomfort and fatigue. Feel very tired and fatigued when

back and hip pains like needle pointing. Plan to sleep full day only light household work on weekends taking Tylenol 500mg (took one at mid night yesterday and another one this morning), it only reduces the pain. I am also massaging the back, hip and knee with bengay and heating pads however after some time there is no relief and the pain return. Very severe 8 on a scale of 10. This exercise is bringing the back bone issues and difficulties while sleep, sitting or stand and lower back pain which got reduced since April 8. I literally took my office computer on sofa/futon this week as I am not able to sit on the office chair for more than 15 minutes after doing this exercise since May 11.

I am having rectal bleeding since this afternoon and it is burning badly during stole discharge. I will add Miralax to current medication list. The lower back, hips, knees and the rectal bleeding is too much pain in the lower back area, please suggest the PT to reduce the hip/knee exercise. Went to emergency room cooper university trauma center.

**May 17 –**

PCP meeting – Health condition history discussion, current symptoms etc

**May 18 – Note to Dr. Close**

Yesterday when I visited doctor's office, the nurse mistakenly compressed the left arm more than normal while measuring blood pressure, I felt sever pain in the left hand. My left brain was tingling and there was stretch on the back of my skull with severe pain in the skull. I saw a large floater in eyes and for a minute was extremely confused. Felt there was an urgent need to go to bathroom and the back lower side of the skull was really painful. Is that normal reaction to hand compression? I have been having pin and needles pain when I try sleeping on right side and felt tingles and numbness in right side of the brain when right arm and legs are compressed while sleeping. However, I never felt tingling in left side of the brain. I want to get well soon hopefully within a month. Look forward for the appointment in two weeks. Backpain issues

**May 19 –**

2010/2011- Cincinnati, Ohio- Minor Car Accident where my window glass was hit when I was trying to park my vehicle in my apartment's garage. I was driving and inside the car and felt severe neck pain and jerk in the body. I wasn't injured or had any physical issues. Saw PCP because of neck stiffness in a week and was diagnosed muscle spasm not related to car accident. I also recall I fell in bathroom tub when trying to exit as it was very slippery and hit my head on a razor. My left eyebrow was stitched by urgent care as the bleeding was no stop. That was treated by an urgent care facility in Springfield Ohio. Most probably muscle spasm were after this fall. I have no documents from PCP or urgent care. I do not know the name of my PCP either her office was located near the tri-county mall in Cincinnati. I never took after office visit summary from doctors sorry got no documents to share. I can try looking online this weekend if you want me find information about these minor accidents.

2012-2013 - I lived in Seattle Washington and visited Everett clinic in Everett Washington. When I left Seattle I had bleeding stole and rectal bleeding not too bad though.

2014-2016- I lived in Pittsburgh, PA was diagnosed with Hemorrhoids and attached is one of my PCP reports. Frequent rectal bleeding.

2015 I went to emergency room in San Francisco and had retinal detachment surgery. 2016 I left job for recovery from eye surgery. I am still in contact with the doctor who performed eye surgery. Dr. Dan Schwartz, 400 Parnassus Ave Sixth Floor, San Francisco, CA 94143

2017-2020 - follow up with after eye surgery visit with Retina Associates of New York Dr. Paccione and PCP Mt. Sinai Hospital Nahel Galal (2015-2017) when lived in forest hills and Advantage Care Physician Hwasun Lee (2017-2019) when I lived in Rego Park, NY.

Most of my moves were job related or after eye surgery in 2015 I was blind for few months and having hard time doing work normally due to poor vision and needed help from family.

Correction most probably the urgent care facility that stitched my head injury in 2010

Doctors' Urgent Care Office

360 Glensprings Dr, Springdale, OH 45246

They recommended me to find PCP and follow up. My PCP was located nearby the urgent care facility. I will search online not sure what the name of the doctor. I will email you this weekend after online search. I had United Health Care insurance through employer, may contact them to locate the information.

I think the PCP who treated my head injury in 2010 was assigned by either Physician Associates of Kemper or Mercy Health - Tri-County Family Medicine. I am sorry, I have no documents from the visit to share. When I visited the Doctors' Urgent Care Office right after the head injury, I had no PCP. From what I recall, the urgent doctor cut hair on the entire right eyebrow and added multiple tiny stitches on the eye brows. He was saying the razor made many cuts and the bones were visible. He was concerned that I was driving with such wound. He also said that if the wound was few inches down, I should have lost eyes. I recall getting few second of unconsciousness and seeing a puddle of blood in the bath tub. The doctor at the urgent care was concerned that I should not have driven vehicle after such head injury and he did not let me leave the facility until it closed even after I had him talk to my parents who flew next day to help me after the fall. I also recall the doctor advised to visit emergency room after calling 911 in future instead of driving in such conditions. He recommended X-ray but let the primary care order the test instead. After few weeks of recovery the PCP advised that my wound healed and there is no pain and thus no need for radiation tests around eyes. In a year or after few months I had what she diagnosed muscle spasm in neck after I reported neck pain. She said it was not due to injury and advised to use Bengay over the counter. I have been using Bengay since then but I do not have muscle spasm frequently. I think the 2010, car accident where my head and neck felt sever jerk after the side mirror hitting the garage door was before the razor head injury in the bath tub. I am not exactly sure which injury happened first though.

**May 20 –**

I had an EMG test today. When I wake up in the middle of night with movement in my hands and body, my hands are moving with the same jerk that is felt how the highest voltage hand movement occurs during EMG. I also felt soothing and calm in both hands during the test when the electrodes were excited until the maximum voltage for the EMG test. That is so strange. But now my hands

are again paining as before the test. The technician who did the test suggested to discuss with Dr. that she thinks it could be possible that my hands are not getting the right blood supply if dipping the hands in hot or cold water is reducing my hand pain.

**Dr. Strohl,**

Both of my hands are reddish in color and I feel extremely tired, exhausted and fatigued. Hopefully this will get well by tomorrow morning.

**May 23 –**

PCP and Dr. Close

I noticed something in hand, pressing the area under the bent finger as shown in the video attached creates reddish area (restricted region blood circulation) in the finger joints. The right-hand fingers have much more blood circulation when pressed than left hand fingers. The thumb has no similar difficulty. It is more clear when the area is pressed using other hand but attached is the best video I can take of my hands and will show the finger and joints at our next appointment.

My knee has similar blood circulation when the knee is bent and nearby area is pressed but the nerves are blackish and the blood flow is not visible clearly.

I have appointment with Dr. Strohl this week to discuss hands and shoulder EMG/NCS results and X-rays before appointment with Dr. Close on May 27.

**Dr. Strohl**

At the NCS/EMG test, I was looking at the results screen occasionally when the test was conducted on the hands. While reading an article online on NCS/EMG test results, I recall seeing some graphs during the test that look similar to the figure 3- neurogenic and figure 4- fasciculations. Although the individual who performed the test at the end advised me to talk to you to discuss the results, she said the results looked ok to her.

It is very unusual that I feel weakness when I do regular household work and my hands get tired very fast, requiring frequent rest since the April 8 boat ride. Yesterday after cooking my hands were feeling fatigued after cleaning the grill pan and even lifting pans seems too difficult and exhausting. I wonder why I am not going back to normal strength and activity even after resting since April 8 when the fatigue and tiredness was the maximum.

I also noticed that pressing the area under the bent finger as shown in the video attached creates reddish area (restricted region blood circulation) in the finger joints. The right hand fingers has much more blood circulation than left hand fingers. The thumb has no similar difficulty. It is more clear when the area is pressed using other hand but attached is the best video I can take of my hands and will show the finger and joints at our next appointment.

**PCP and Dr. Close**

I was reading this article online and recall. A day before the trip on April 7, I woke up early and took flight to Pensacola and drove to Alabama. Then I worked late night from the hotel on April 7 and woke up early 3am on April 8 to be on the boat by 5:30am. I did not slept two days in row and maybe that made my condition worst on the boat on April 8.

<https://seapowermagazine.org/fatigue-at-sea-researching-how-lack-of-sleep-can-affect-sailors/>

I want to recover ASAP. I slept 2 weeks after the trip between April 11-26 and still feeling fatigued and tiredness after doing small house hold work. Not sure why.

**May 25**

PCP

The EMG/NCS for hands report attached for review. My nerves are in good health and won't require surgeries. I signed up for hands and shoulder center PT/OT session today and will followup all hand related visits there. The attached report also lists few exercise for hands that I will do every day.

Thank you,

**May 27**

Dr. Goldstein, I am having severe pain in the rectal area and this morning I had stool discharge twice 4am and around 6am and having rectal bleeding again. Bleeding stopped after taking calmol for a week however the rectal area was bleeding from internally after stool discharge. My backbone is also in pain when pressed like when I sit or sleep. I feel lot of irritation and pain near lower backbone around rectal area since last week and even today.

The rectal area is in pain after stool discharge and the pain is not going away. Difficulty sitting as a result. I will continue taking Tylenol. The blood is wrapped around the stool that is discharged in the middle section of the stool. The stool is blood free initially and at the end which is uncommon as last week the blood was wrapped at the end of discharge and was dipping down after stool discharge. A picture of the blood in stool attached for review. I will continue taking the medication that you suggested.

Dr Close

I am having severe pain in the rectal area and this morning I had stool discharge three times 4am and around 6am and 12:00pm having rectal bleeding again. Bleeding stopped after taking calmol for a week. however today the rectal area was bleeding from internally after stool discharge. My backbone is also in pain when pressed like when I sit or sleep. I feel lot of irritation and pain near lower backbone around rectal area since last week and even today.

The rectal area is in pain after stool discharge and the pain is not going away. Difficulty sitting as a result. I will continue taking Tylenol.

The blood is wrapped around the stool that is discharged in the middle section of the stool. The stool is blood free initially and at the end which is uncommon as last week the blood was wrapped at the end of discharge and was dipping down after stool discharge.

Dr. Goldstein,

Around afternoon, I had another bowl movement and felt like something was hanging out from rectal area. At the appointment with Dr. Close from the pcp group at Navy Yard, I had a rectal exam. Dr. Close suggested it appears to be hemorrhoid. This evening I added suppository and some liquid is getting discharge from rectal area, it could be the melted suppository. I feel the size of the hemorrhoid is getting bigger and it is covering the rectal area. Not sure if I will be able to have bowl movement if the rectal area gets

blocked. Should I stop by tomorrow evening to have a rectal exam? Let me know if you are available tomorrow. I never had this type of hemorrhoid before and worried.

**May 28**

Dr. Goldstein,

The external hemorrhoid is shrinking however it pains severe when trying to sit. I am feeling fatigued, tired and coughing/sneezing because of the pain. And it also feels like a skin part (I never had this type of hemorrhoid before) is getting rubbed at the exit of the rectal area. Very strange feeling.

**May 29**

PCP and Dr. Close

My mom stopped by for a visit and she was reviewing my back from neck to lower back area. She said there a bruises and dark skin area at some location that I feel severe pain since April 8 and took pictures. She advised to share with the doctor to have this reviewed. Attached for review.

Dr. Strohl,

My mom visited yesterday and planning to stay over the weekend. She reviewed my back from neck to lower back. She noticed some bruises and dark colored spot where I feel severe pain sometimes when sitting and sleeping. I recall you asked if neck was injured and I didn't remember exactly but I didn't saw or recall my neck getting hurt. I have bruises and dark color spots on neck which were not present before the work trip on April 8. The discoloration or bruises are more in right side of neck than left side of neck.

Yesterday while on computer teleworking mistakenly, I sat in a position when my left hand and elbows got pressed. When the dark area of left palms are pressed, I feel pins and needles that travel from palm through elbows to upper arm. Having difficulty using left hand since yesterday.

Pictures of my neck and back discoloration and bruising attached.

Dr. Goldstein

My mom stopped by for a visit and she was reviewing my back from neck to lower back area. She said there a bruises and dark skin (discoloration) area at some location that I feel severe back-pain since April 8 and took pictures. Attached for review.

I am also attaching some information about an injury and resulting pain in the body that I had while working on a boat few months ago. The lower back area was under pain and my periods are also impacted since after returning from the trip. I was unable to eat well for a week after the underway trip. However I wasn't able to bend my back or neck to examine the stool. I do recall it was black and tiny segments for few days maybe a week after April 8.

My stool is still bleeding in the middle section like yesterday. Picture of the blood streaks in stool this morning- 5/29/2021.

Talk to you on June 2.

**May 31**

I had rectal bleeding this morning again and severe pain during stool discharge. Blood in the stool image for review. Blood is wrapped in the middle section of the stool.

I also felt a little lower abdominal pain yesterday evening and this morning. It felt like the intestines were getting stretched inside the lower stomach area. The pain during bowl movement is also traveling inside the lower abdominal area. At least after an hour after bowel movement I feel extreme burning both in the rectal area and lower abdominal area. It goes away few hours after the bowel movement.

Still adding calmol 4 suppositories and eating Miralax stool softener

**June 3**

PCP & Dr. Close

My COVID both dose I took between the boat ride April 8. First dose on March 26 and second on April 23. Although I felt no pain after March 26. My pain was severe in left arm and hands after the second dose even after taking the high pain medication that I was taking during the week.

**June 4**

Dr. Goldstein

My COVID both dose I took between the work-related boat ride April 8. First dose on March 26 and second on April 23. Although I felt no pain after March 26. My pain was severe in left arm and hands after the second dose even after taking Tylenol/Advil that I was taking during the week. COVID vaccine likely impact immune system. Yesterday I was feeling fatigued and tiredness when sitting due to severe rectal pain that was not going away after bowl movement. My periods also ended in two days and third day was some minor bleeding. I learned from my brother and mom today that lot of women are having small periods after Covid vaccine dose.

I took both of the Covid vaccine dose at the military base JBMDL 87 medical wing in NJ a week before the work related April 8 boat ride on March 26 and a week after the boat ride, dose two on April 23.

I never had this type of rectal issues before where skin section is hanging out of the rectal area and was wondering if this could be attributed to the COVID vaccine dose and the fatigue and tiredness after the boat ride on April 8. I still feel the fatigue and tiredness doing small house hold tasks and rectal pain also causing more fatigue and tiredness. I never had this type of rectal pain before. Thought to share the Covid vaccine information.

I noticed since April 8, I have bruises and develop new ones after minor physical activities.

On Monday I went berry picking with mom at nearby farm. I was sitting and standing a lot and my knees were hurting but I still continue. My left leg side has two bruises as shown in the attached picture, notice the discoloration near the nerves.

On June 7 I have an appointment with hematology specialist to review the blood test results and the bruising on neck, back and limbs- hand and legs.

I wonder if there are issues around slow healing as I still feel fatigued and tiredness after the April 8 rough boat ride. The recovery seems to be very slow for some reason.

Hopefully the hematology report will be available before the colorectal procedure. I hope there are no bruising similar to neck, back and limb internally on the colorectal area that is causing pain and difficulty. Hopefully the procedure will help identify the issues with burning, bleeding and severe pain during stole discharge.

**June 5, 2021**

Feeling stiffness in fingers and tiredness in hand joints. Continuing putty and finger stretch exercises. Pain in the lower back area and rectal area. Unable to walk, sit, sleep, stool discharge comfortably. It feels like the intestines are getting pulled or stretched from inside while sitting and the pain do not stop after stool discharge. Feeling fatigued and tired. Knees are in pain when bent, hips feel needle and pin pointing toward rectal area. It feels like a tiny section of skin hanging outside from the rectal area however it is shrinking in size since last week. Had three stool discharges since this morning. Stool black in color, burning pain unable to empty bowel fully, stool stink like rotten meat or tissues since yesterday. Rectal pain won't go away after stool discharge. Noticed no bleeding in stool this morning.

**June 6 2021**

PCP & Dr. Close

I sent this note to Dr. Goldstein and thought to inform you as well. I had another round of bleeding during stool discharge this 6/6/21 morning and evening. Pictures attached for review. The evening stool discharge had small amount of blood dripping from the rectal area. The toilet paper got some of the blood. I feel severe pain in lower back, hip and knee throughout the day independent to stool discharge. The pain increase and feel severe burning in rectal area during stool discharge. Some lower abdominal pain as well. Took Tylenol 500 twice yesterday and today as well. The pain lowers but when I sit in car, I start having the pain again. Adding suppository and taking Tylenol 500.

**Note written Monday, April 12, 2021, 6:03:00 PM**

Cause of Injury: - Underway test on April 8<sup>th</sup>, we were on board OUSV1 that was traveling fast and was stopping suddenly in high ocean currents and we were sitting without seatbelts or announcements that the boat will come to top. I was throwing out due to motion sickness, shaking when walk and possible got hit by an object.

My backbone is stiff and lower back hurt while, walking, sitting and sleeping. Severe headaches and eye pain. The pain goes away when I take ibuprofen tablets. My doctor advise to continue taking the tablets and resting to heal. This condition could be resulting from an object hitting the back causing discomfort. My last period was the week of March 29, I am period again since 4/11 and is heavily bleeding. I feel fatigued and tired.



File Number: 550061639  
TI FM-dev (all)-O-I

U.S. DEPARTMENT OF LABOR

DFELHWC-FECA, PO Box 8311  
LONDON, KY 40742-8311  
Phone: (202) 513-6860

**Want Faster Service?**  
Upload a document at [ecomp.dol.gov](https://ecomp.dol.gov)

April 27, 2021

Date of Injury: 04/08/2021  
Employee: PRIYA M. JASWAL

PRIYA M JASWAL  
1 MAC ARTHUR BLVD S807  
HADDON TOWNSHIP, NJ 08108

Dear PRIYA JASWAL:

This Office is in receipt of your claim for a traumatic injury that you filed on 04/16/2021. You are employed as a/an Mechanical Engineer by the Department of the Navy in Philadelphia, PA. You stated that you sustained an injury on 04/08/2021 which resulted from being aboard a boat that was traveling fast and stopping suddenly in high current/waves on 04/08/2021.

The record indicates that your employer may have challenged the basis of your claim, specifically with respect to the reported circumstances or work activities believed attributable to your condition.

Evidence received in support of your claim includes the following:

- SF-50 OPM Notice of Personnel Action
- 04/12/2021 dated personal statement attesting to the work incident/events of 04/08/2021.
- 04/11/2021 dated electronic medical billing/receipt noting out of pocket expenses.
- 04/11/2021 dated medical consultation report from Dr. Jeffrey Bernstein of MDLive Group containing diagnoses of low back pain and disability from work.
- 04/16/2021 dated medical report from Dr. James F. Vander of WillsEye Hospital that documents a chronic detached retina condition as well as other symptoms.
- 04/20/2021 dated medical report from Dr. Mark Graham of Jefferson Health containing diagnoses of bilateral knee pain (myalgia is a pain syndrome) as well as notes a number of additional symptoms as reported from the work event.
- 04/20/2021 dated gynecological ultrasound report signed by Dr. Joseph T. Talvacchia documenting an irregular menses.

In order for a claim to be accepted under the Federal Employees' Compensation Act (FECA), the claim must meet 5 basic elements. The claim must:

- (1) Be Timely Filed.
- (2) Be made by a Federal Civil Employee.
- (3) Establish Fact of Injury, which has both a factual and medical component. Factually, the injury, accident or employment factor alleged must have actually occurred. Medically, a medical condition must be diagnosed in connection with the injury or event.

*If you have a disability and are in need of communication assistance (such as alternate formats or sign language interpretation), accommodation(s) and/or modification(s), please contact OWCP.*





April 27, 2021

File Number: 550061639  
TI FM-dev (all)-O-I

Your case will be held open for 30 days to afford you an opportunity to submit the requested information. If the information is not received during the allotted period, a decision will be made based upon the evidence in file.

Please note that we cannot take action on any Form CA7, Claim for Compensation, submitted prior to the adjudication of your case. If your case is approved, any pending claims for compensation will be reviewed for payment at that time. Medical evidence establishing disability during the entire period claimed is required prior to payment; therefore, please arrange for the submission of this evidence if it has not already been submitted.

NOTE - You can mail the requested information to the address at the top of this letter OR you may electronically submit this information for immediate receipt.

Electronically uploaded documents will be directly entered into your FECA case using the Employees' Compensation Operations and Management Portal (ECOMP). You can access ECOMP from any internet browser at:

<https://www.ecomp.dol.gov/>

When you access the website, choose the "Upload Document" option. You will be asked to provide your case number, last name, date of birth and date of injury to upload a document. ECOMP will then provide you with a Tracking Number so that you can verify when OWCP has received your document. For more detailed information about this document submission feature, visit the ECOMP website and click "Help."

Sincerely,

Federal Employees Program

**TO THE EMPLOYING AGENCY:**

**If the employee was treated at an agency medical facility for this injury, the employing agency must provide the treatment notes directly to OWCP.**

DEPARTMENT OF THE NAVY  
NAVAL SEA SYSTEMS COMMAND  
C/O CNIC FECA OFFICE, N133  
750 PACIFIC HIGHWAY  
SAN DIEGO, CA 92132



April 27, 2021

File Number: 550061639

TI FM-dev (all)-O-I

**Questionnaire for Completion – Sign, Date and Return it to this Office**

State where you were and what you were doing at the time your injury occurred. Provide a detailed description as to how your injury occurred. (For example, if you fell, state how far you fell, how you landed, etc. If lifting was the cause of the injury, describe the object handled, its weight, what you did with it, etc.)

Provide statements from any persons who witnessed your injury or had immediate knowledge of it, or other documentation that supports your claim.

Did you have any similar disability or symptoms before the injury? If so, describe the prior condition. Please send records of all prior treatment.

The evidence indicates that you may have deviated from your assigned route for personal reasons when the injury occurred; therefore, please respond to the following so that it can be determined if you were in the performance of duty when injured:

Were you on your regularly assigned route performing regularly assigned duties when the injury occurred? If you were not performing assigned duties, please explain exactly what you were doing when the injury occurred.

**STATEMENT OF CERTIFICATION BY CLAIMANT:**

I certify that each and every statement made in response to the above questions is true to the best of my knowledge. I further understand that any person who knowingly makes any false statement, misrepresentation, concealment of fact, or any other act of fraud to obtain compensation as provided by the FECA or who knowingly accepts compensation to which that person is not entitled is subject to felony criminal prosecution and may, under appropriate criminal provisions, be punished by a fine or imprisonment, or both.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_



## Attending Physician's Report

## U.S. Department of Labor

Office of Workers' Compensation Programs



## Record of Examination

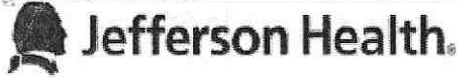
1. Patient's name Last <u>Priya</u> First <u>Gaswal</u> Middle	2. Date of Injury mo. day yr.	3. OWCP File Number	OMB No. 1240-0046 Expires: 01-31-2018
4. What history of the employment injury (including disease) did the patient give to you? <u>rough ride - had motion sickness &amp; diarrhea, pain from trauma on boat, abnormal vaginal bleeding after</u>			
5. Is there any history or evidence of concurrent or pre-existing injury or disease or physical impairment? (If yes, please describe) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			ICD Code(s)
6. What are your findings? (Include results of X-Rays, laboratory reports, etc.) <u>iron deficiency, elevated sedimentation rate</u>			
7. What is your specific diagnosis(es) related to the employment activity? <u>Polyarthralgia</u>			ICD Code(s) <u>M25.50</u>
8. Do you believe the condition(s) found was caused or aggravated by an employment activity as described in item 4.? (Please explain answer) <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <u>was not present prior</u>			
9. Did injury require hospitalization? If no, go to item # 13 <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	10. Date of admission mo. day yr.	11. Date of discharge mo. day yr.	12. Additional Hospitalization required If Yes, describe in "Remarks" (Item 25) <input type="checkbox"/> Yes <input type="checkbox"/> No
13. What treatment did you provide? <u>PT, referral to PT &amp; ortho</u>			
14. Date of first examination mo. day yr. (yrr) <u>04 20 2021</u>	15. Date(s) of treatment: mo. day yr. (yrr) mo. day yr. mo. day yr. <u>04 20 2021 04 26 2021</u>		16. Date of discharge from treatment mo. day yr.
17. Period of total disability From mo. day yr. Thru mo. day yr. <u>04 08 2021 04 26 2021</u>	18. Period of Partial Disability From mo. day yr. Thru mo. day yr. <u>04 26 2021 TBD</u>		19. Date employee able to resume light work mo. day yr. <u>04 26 2021</u>
20. Date employee is able to resume regular work mo. day yr. <u>TBD</u>	21. Has employee been advised that he/she can return to work? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	22. If yes, on what date was he/she advised? mo. day yr. <u>04 26 2021</u>	
23. If employee is able to resume only light work, indicate the extent of physical limitations and the type of work that could reasonably be performed with these limitations. (Continue in item #25 if necessary.) <u>breaks every 2hr</u>		24. Are any permanent effects expected as a result of this injury? If yes, describe in item #25. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
25. Remarks <u>Too soon to determine if permanent issues</u>			
26. If you have referred the employee to another physician provide the following: Name <u>Joremy Close</u> Address <u>3 crescent Dr</u> City <u>Phila</u> State <u>PA</u> ZIP <u>19112</u>			Specialty <u>Sports Med</u>
			27. What was the reason for this referral? <input checked="" type="checkbox"/> Consultation <input checked="" type="checkbox"/> Treatment
Signature			
28. I certify that the statements in response to the questions asked above are true, complete and correct to the best of my knowledge. Further, I understand that any false or misleading statements or any misrepresentation or concealment of material fact which is knowingly made may subject me to criminal prosecution. Signature of Physician _____ Date _____			
29. Name of Physician <u>Mark G. Graham, MD</u> Address <u>3 Crescent Drive, 2nd Floor</u> <u>Philadelphia, PA 19112</u> City _____ State _____ ZIP _____ T <u>215-551-8660</u> F <u>215-551-9247</u> NPI # <u>1245258482</u>		30. Tax ID Number _____ 31. Do you specialize? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No 32. If yes, indicate specialty <u>IM</u>	

If you have a disability (a substantially limiting physical or mental impairment), contact OWCP for information on communication assistance (alternate formats or sign language interpretation), accommodations and/or modifications. See Instructions for Disability-Related Assistance under Federal disability nondiscrimination law.

prepared by Meggie Gortzfeld, MD



Letter by Megan L Golightly, CRNP on 4/28/2021



Jefferson Internal  
Medicine Navy Yard  
3 Crescent Drive  
2nd Floor  
Philadelphia PA 19112  
Phone: 215-503-7136  
Fax: 215-551-9247

Priya Jaswal  
1 Macarthur Blvd  
Apt S 807  
Haddon Township NJ 08108

April 28, 2021

Patient: Priya Jaswal  
Date of Birth: 12/7/1985  
Date of Visit: 4/28/2021

To Whom It May Concern:

It is my medical opinion that Priya Jaswal is suffering from polyarthralgia that she developed after being on a ship for work that was on rough seas.

Although she is new to this office, she does not appear to have any history of dealing with these ailments that did occur right after her boat ride on 4/8/2021. Since then she has been dealing with bilateral hand pain, thigh pain, knee pain. She had some resolving bruising that developed after her boat ride.

She has some intermittent nausea/vomitting since the boat ride but that is improving. She also had some vaginal bleeding that was abnormal for her-although it is not possible to tell if there was any relation to the trauma during the boat ride.

She has described in detail (and with illustrations) the position her body was in, and had a particularly traumatic episode when she was experiencing motion sickness, nausea, vomiting and diarrhea and attempting to use the bathroom while the boat was shaking.

Although I do not expect her pain to be permanent, I do believe that it started after the boat ride on 4/8/2021.

If you have any questions or concerns, please don't hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to be "MS" or similar initials.

Megan L Golightly, CRNP

CC

RE: Jaswal, Priya, DOB: 12/7/1985

Page 1

HOME OF SIDNEY KIMMEL MEDICAL COLLEGE

*mm 4/28/21*

Mark G. Graham, MD  
3 Crescent Drive, 2nd Floor  
Philadelphia, PA 19112  
T 215-551-8660 F 215-551-9247  
NPI #1245258482



Injured Worker's Name (First, middle, last) Priya Dasgupta OWCP No.  OMB No: 1240-0046  
Expires: 03-31-2021

Please answer the questions below concerning your patient (named above) for whom the Office of Workers' Compensation Programs (OWCP) has accepted the following conditions:

1a. Is the worker capable of performing his/her usual job without restriction? ☐ Yes ☒ No If no, please provide medical reasons to support your opinion in a narrative report.

frequent breaks (every 2 hrs) and light duty

Many employers can readily accommodate medical restrictions including modified duty assignment(s) or assignment of the injured worker into an alternative work location.

b. If the claimant is unable to perform his/her usual job, is the claimant able to work for 8 hours per workday with physical restrictions? ☐ Yes ☒ No If no, please provide medical reasons to support your opinion in a narrative report.

numbness in hands with tingling & back pain with prolonged sitting

c. If less than 8 hour per workday, how many can he/she work? 8

d. Do you anticipate an increase in the number of hours this person will be able to work? ☒ Yes ☐ No

e. If yes, when will this person achieve an 8 hour workday? she can

If no, please provide medical reasons to support your opinion in a narrative report.

f. How long will the restrictions apply? until improvement suspect 1 more month (June)

g. Has maximum medical improvement been reached? ☐ Yes ☒ No

2a. Please review the Guidance for Physicians included on pages 2 and 3 of this form. Based on the parameters provided, please indicate whether this person is capable of working within any of the following Strength Levels:

Sedentary ☒ Yes ☐ No Light ☒ Yes ☐ No Medium ☐ Yes ☒ No Heavy ☐ Yes ☒ No Very Heavy ☐ Yes ☒ No

2b. If not, please indicate whether this person has any **LIMITATION** in the activity listed and how many hours this person can perform each activity. If there are limitations in lifting, pulling and/or pushing, please provide the maximum number of pounds that can be handled by this person.

Activity	Limitation	# of Hours Able to Work	Activity	Limitation	# of Hours Able to Work	Lbs.
Sitting	<input checked="" type="checkbox"/> Yes	<u>2</u>	Repetitive Movements:			
Walking	<input type="checkbox"/> Yes		Wrists	<input checked="" type="checkbox"/> Yes	<u>2</u>	
Standing	<input checked="" type="checkbox"/> Yes	<u>2</u>	Elbow	<input checked="" type="checkbox"/> Yes	<u>2</u>	
Reaching	<input type="checkbox"/> Yes		Pushing	<input type="checkbox"/> Yes		
Reaching above			Pulling	<input type="checkbox"/> Yes		
Shoulder	<input type="checkbox"/> Yes		Lifting	<input type="checkbox"/> Yes		
Twisting	<input type="checkbox"/> Yes		Squatting	<input type="checkbox"/> Yes		
Bending/Stooping	<input type="checkbox"/> Yes		Kneeling	<input type="checkbox"/> Yes		
Operating Motor Vehicle at work	<input type="checkbox"/> Yes		Climbing	<input type="checkbox"/> Yes		
Operating a Motor Vehicle to/from work	<input type="checkbox"/> Yes		Breaks:			
			Duration	<u>15 min</u>	Frequency	<u>every 2 hr</u>
			Duration	<u>15 min</u>	Frequency	<u>2 hr</u>

3. If there are **OTHER** medical facts, situational factors, equipment or devices which need to be considered in the identification of a position for this person, please explain in a narrative report.

Mark G. Graham, MD  
3 Crescent Dr., 2nd fl

Mark G. Graham, MD  
3 Crescent Drive, 2nd Floor  
Philadelphia, PA 19112

4. Physician's Name (Type or print) Philadelphia, PA 19112

T 215-551-8660 F 215-551-9247

6. Signature

T 215-551-8660 F 215-551-9247

NPI No. 1245258482

NPI #1245258482

7. Date



**U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION**  
**Office of Federal Operations**  
**P.O. Box 77960**  
**Washington, DC 20013**

Priya Jaswal a/k/a  
Lashawn C.,<sup>1</sup>  
Petitioner,

v.

Carlos Del Toro,  
Secretary,  
Department of the Navy,  
Agency.

Petition No. 2023000218

MSPB No. PH-315H-21-0267-I-1

**DENIAL OF CONSIDERATION**

On October 14, 2022, Petitioner filed a petition with the Equal Employment Opportunity Commission (EEOC or Commission) asking for review of a final order issued by the Merit Systems Protection Board (MSPB) concerning her claim of discrimination in violation of Title VII of the Civil Rights Act of 1964 (Title VII), as amended, 42 U.S.C. § 2000e et seq. For the following reasons, we DENY consideration of the petition and shall REMAND the matter to the Agency for further processing.

**BACKGROUND**

At the time of events giving rise to this complaint, Petitioner worked as a Mechanical Engineer, GS-0830-12, at the Naval Surface Warfare Center (NSWC), Philadelphia Division, in Philadelphia, Pennsylvania. She joined the Agency on August 3, 2020, subject to a two-year probationary period. Prior to the completion of her probationary period, the Agency removed Petitioner from federal service for allegedly engaging in repeated, inappropriate, and unprofessional conduct. See Initial Appeal File (IAF) at 5-6. The removal action became effective on June 8, 2021.

On June 17, 2021, Petitioner challenged her removal by filing an appeal directly with the MSPB and argued that her termination was pretext for discrimination.

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<sup>1</sup> This case has been randomly assigned a pseudonym which will replace Petitioner's name when the decision is published to non-parties and the Commission's website.



In so arguing, Petitioner claimed that during her time at the NSWCC, “management and lead engineers” subjected her to discriminatory bullying by commenting on her “non-native” accent and discouraging her from asking questions by “saying discriminatory things about [her] pronunciation, emails, and how [she writes].” See IAF at 4 and 15-22. Petitioner also emphasized her history of rectal, joint, back, and neck pain and alleged that “management and lead engineers” harmed her by sending her “on a work-related trip intentionally to cause physical and mental trauma” and failing to call medical services when she suffered a medical incident on April 8, 2021. Id. Given the circumstances surrounding her removal, Petitioner maintained that her removal was improper. Id.

On July 8, 2021, the assigned MSPB Administrative Judge (AJ) issued an initial decision dismissing Petitioner’s appeal for lack of jurisdiction as the probative record showed that Petitioner had been removed from federal service prior to the completion of her probationary period for post-appointment related reasons. The MSPB AJ’s decision became final on August 12, 2021.

Petitioner filed the instant petition with the Commission on October 14, 2022, seeking review of the MSPB’s decision. In support of her petition, Complainant largely reiterates the same arguments that she previously raised in her initial appeal. The Agency, however, vehemently opposes the petition and asserts that the Commission does not have jurisdiction over the matter, as Petitioner never alleged discrimination before the MSPB.

### ANALYSIS AND FINDINGS

EEOC Regulations provide that the Commission has jurisdiction over mixed case appeals and complaints on which the MSPB has issued a decision that makes determinations on allegations of discrimination. 29 C.F.R. § 1614.303 et seq. However, when the MSPB, as it did here, denies jurisdiction, the Commission has held that there is little point in continuing to view the matter as a “mixed case” as defined by 29 C.F.R. § 1614.302(a), because the MSPB did not address any matters within the Commission’s jurisdiction.

We ultimately find that this matter should be processed as a “non-mixed” case, as our review of Petitioner’s initial appeal shows that she alleged, in relevant part, that the way management bullied her about her accent suggested that the Agency’s articulated reasons for removing her were pretext for discrimination based on national origin. Furthermore, our review of Petitioner’s initial appeal also shows that Petitioner alleged that prior to her removal the Agency harassed her by refusing her medical services and sending her on work related trips despite her history of pain to cause her physical and mental trauma. Given these allegations, we DENY consideration of the petition and shall administratively close it. On remand, the Agency shall process MSPB No. PH-315H-21-0267-I-1 as a non-mixed case. See e.g., Schmitt v. Dep’t of Transp., EEOC Appeal No. 01902126 (July 9, 1990); Phillips v. Dep’t of the Army, EEOC Request No. 05900883 (Oct. 12, 1990); and 29 C.F.R. § 1614.302(c)(2)(i) and (ii).

### ORDER

Petitioner is advised that, by operation of 29 C.F.R. § 1614.302(b), the Agency, if it has not already done so, is required to process her allegations of discrimination. Because Petitioner filed a mixed-case appeal with the MSPB, the Agency, pursuant to 29 C.F.R. § 1614.105 et seq., shall notify Petitioner of her right to contact an EEO counselor within forty-five (45) days of receipt of this decision, and to file an EEO complaint, subject to 29 C.F.R. § 1614.107. The date on which the Petitioner filed the appeal with the MSPB shall be deemed the date of initial contact with the EEO counselor.

### IMPLEMENTATION OF THE COMMISSION'S DECISION (K0719)

Under 29 C.F.R. § 1614.405(c) and §1614.502, compliance with the Commission's corrective action is mandatory. Within seven (7) calendar days of the completion of each ordered corrective action, the Agency shall submit via the Federal Sector EEO Portal (FedSEP) supporting documents in the digital format required by the Commission, referencing the compliance docket number under which compliance was being monitored. Once all compliance is complete, the Agency shall submit via FedSEP a final compliance report in the digital format required by the Commission. See 29 C.F.R. § 1614.403(g). The Agency's final report must contain supporting documentation when previously not uploaded, and the Agency must send a copy of all submissions to the Petitioner and his/her representative.

If the Agency does not comply with the Commission's order, the Petitioner may petition the Commission for enforcement of the order. 29 C.F.R. § 1614.503(a). The Petitioner also has the right to file a civil action to enforce compliance with the Commission's order prior to or following an administrative petition for enforcement. See 29 C.F.R. §§ 1614.407, 1614.408, and 29 C.F.R. § 1614.503(g). Alternatively, the Petitioner has the right to file a civil action on the underlying complaint in accordance with the paragraph below entitled "Right to File a Civil Action." 29 C.F.R. §§ 1614.407 and 1614.408. A civil action for enforcement or a civil action on the underlying complaint is subject to the deadline stated in 42 U.S.C. 2000e-16(c) (1994 & Supp. IV 1999). **If the Petitioner files a civil action, the administrative processing of the complaint, including any petition for enforcement, will be terminated.** See 29 C.F.R. § 1614.409.

Failure by an agency to either file a compliance report or implement any of the orders set forth in this decision, without good cause shown, may result in the referral of this matter to the Office of Special Counsel pursuant to 29 C.F.R. § 1614.503(f) for enforcement by that agency.

### PETITIONER'S RIGHT TO FILE A CIVIL ACTION (W0610)


This decision of the Commission is final, and there is no further right of administrative appeal from the Commission's decision. You have the right to file a civil action in an appropriate United States District Court, based on the decision of the Merit Systems Protection Board, **within thirty (30) calendar days** of the date that you receive this decision.

If you file a civil action, you must name as the defendant in the complaint the person who is the official Agency head or department head, identifying that person by his or her full name and official title. Failure to do so may result in the dismissal of your case in court. “Agency” or “department” means the national organization, and not the local office, facility or department in which you work.

RIGHT TO REQUEST COUNSEL (Z0815)

If you want to file a civil action but cannot pay the fees, costs, or security to do so, you may request permission from the court to proceed with the civil action without paying these fees or costs. Similarly, if you cannot afford an attorney to represent you in the civil action, you may request the court to appoint an attorney for you. **You must submit the requests for waiver of court costs or appointment of an attorney directly to the court, not the Commission.** The court has the sole discretion to grant or deny these types of requests. Such requests do not alter the time limits for filing a civil action (please read the paragraph titled Petitioner’s Right to File a Civil Action for the specific time limits).

FOR THE COMMISSION:

  
\_\_\_\_\_  
Carlton M. Hadden, Director  
Office of Federal Operations

January 26, 2023  
Date